

# Consolidation Act on Individual Housing Benefits

An act to consolidate the Act on Individual Housing Benefits; cf. Consolidation Act No. 75 of 19 January 2005 as amended by Act No. 428 of 6 June 2005 (section 108), Act No. 430 of 6 June 2005 (section 52), Act No. 431 of 6 June 2005 (section 58) and Act No. 1420 of 21 December 2005. Act No. 574 of 24 June 2005 (section 3) has not been incorporated into this Consolidation Act, since the amendments will not come into force until 1 January 2007; cf. section 8 of Act No. 574 of 24 June 2005.

## Part 1 *General conditions*

**1** Tenants, including members of social housing cooperatives, cf. Part 2 of the Act on Housing Construction, shall upon application be eligible for housing benefits under the provisions of this Act.

**2(1)** Owners or members of private housing cooperatives who are in receipt of old-age pension shall upon application be eligible for housing benefits under the provisions of this Act. This right shall also extend to persons residing in Denmark, who are in receipt of similar foreign retirement pension to which Council Regulation (EEC) No. 1408/71 applies.

(2) Persons who are in receipt of the benefits set out in subsection (1) above, and who share a household with a tenant, an owner or a member of a private housing cooperative, shall upon application be eligible for housing benefits under this Act.

(3) In this Act persons who are in receipt of the benefits set out in subsection (1) above, and who are eligible for housing benefits under section 1 and section 2(1) and (2) shall be referred to as pensioners.

**2a(1)** Owners or members of private housing cooperatives who are in receipt of anticipatory pension shall upon application be eligible for housing benefits under this Act. The same shall apply to persons who are in receipt of anticipatory pension, and who share a household with a tenant, an owner or a member of a private housing cooperative.

(2) Owners or members of private housing cooperatives who are severely physically disabled, and whose dwelling is suitable for such purpose, shall upon application be eligible for housing benefits under this Act. The same shall apply to persons who are severely physically disabled, and who share a household with a tenant, an owner or a member of a private housing cooperative, and who live in a dwelling suitable for severely physically disabled persons.

(3) Owners or members of private housing cooperatives who receive constant care under section 77 of the Act on Social Services shall upon application be eligible for housing benefits under this Act. The same shall apply to persons who receive constant care under section 77 of the Act on

Social Services, and who share a household with a tenant, an owner or a member of a private housing cooperative.

(4) Owners or members of private housing cooperatives aged 55 or over who live in a shared housing arrangement, cf. Part 4a, shall upon application be eligible for housing benefits under this Act.

(5) Members of private housing cooperatives who live in a shared housing arrangement in a subsidised private housing cooperative, cf. section 24a(1)(v), shall upon application be eligible for housing benefits under this Act.

**2b** The entitlement to housing benefits under the provisions of this Act governing recipients of anticipatory pension shall also extend to persons residing in Denmark, who are in receipt of similar foreign pension to which Council Regulation (EEC) No. 1408/71 as amended applies.

**3(1)** In this Act housing benefits for applicants who are not pensioners shall be referred to as rent subsidy.

(2) Where the rent subsidy exceeds the pensioners' rent allowance, a pensioner shall be eligible for rent subsidy.

(3) Rent subsidy cannot be paid to applicants in receipt of pensioners' rent allowance; cf. section 4 below.

**4(1)** In this Act housing benefits for pensioners shall be referred to as pensioners' rent allowance, but see section 3(2) above.

(2) Pensioners' rent allowance cannot be paid to applicants in receipt of rent subsidy; cf. section 3 above.

(3) Where a housing loan has been granted pursuant to the Act on Loans for the Payment of Real Property Tax and on the Amendment to the Tax Assessment Act, residents shall not also be eligible for housing benefits. Entitlement to housing benefits cannot be achieved earlier than by the end of the year in which the loan has been granted, unless the loan has been repaid.

**5** The entitlement to housing benefits shall be subject to

(i) the applicant having a permanent address in this country; and

(ii) the applicant having his/her main residence in this country.

#### *Household and income*

**6** Housing benefits shall be calculated on the basis of household income.

**7(1)** The household shall comprise the applicant, his/her spouse, children living at home and any other person having his/her permanent address in the flat without being a lodger.

(2) Only children aged under 18 years who live in the flat are included in the calculation of housing benefits.

(3) If parents who share custody of a child do not live together, and if the child is spending equal amounts of time with each parent, the child shall for calculation purposes be included in the household at the address where the child is registered with the National Registration Office.

**8(1)** The household income shall be calculated as follows:

(i) The household income shall be calculated as the sum of the individual incomes of the applicant and any household member. The incomes shall be calculated as personal income with the addition of positive unearned income used for the calculation of income tax pursuant to section 7 of the Income Tax Act, prior to the basic allowance set out therein. Equity income subject to tax under section 8a(1) and (2), except dividend income not exceeding DKK 5,000 on which final withholding tax has been paid, shall be added to the household income.

(ii) Any compensation and return on such compensation to HIV-infected haemophiliacs etc. and HIV-positive transfusion-infected persons etc. and damages and return on such damages, cf. the Act on Damages in Respect of Injuries Caused by LSD Treatment, shall not be included in the household income of such persons.

(2) The Minister for Social Affairs is authorised to lay down specific rules for the calculation of the expected income.

(3) The Minister for Social Affairs shall lay down rules specifying how to include the incomes set out in subsection (1) that are not subject to Danish tax as well as incomes falling within section 5 of the Act on Taxation of Seamen in the household income.

(4) The income of each child calculated in pursuance of subsections (1) and (2) shall be reduced by DKK 15,700; cf. section 72(1)(i) hereof. If the calculation results in a negative amount, such amount shall not be included in total household income.

(5) The income calculated pursuant to subsections (1)-(4) shall be adjusted for assets and savings pursuant to section 8a below.

(6) Household income for persons comprised by Part 4a shall mean the income of the individual applicant (person living in a shared housing arrangement) calculated in pursuance of subsections (1)-(5). Where a person under section 24a(1) lives in shared housing together with one or several children, cf. section 7(2), total household income shall be calculated in pursuance of subsections (1)-(5) for the applicant and his/her children. Where both parents live in the shared housing arrangement, each child shall be included in the calculation of household income for one of the parents complying with the requirements set out in section 24a(1) hereof.

**8a(1)** The adjustment for assets and savings under section 8(5) shall be calculated as a share of the assets and savings of the benefit recipient and of the members of his/her household. The Minister for Social Affairs may lay down specific rules for the calculation of assets and savings. The following scale (1998 level) shall be used for the calculation of the adjustment for assets and savings:

(i) The first DKK 587,500 are not included.

(ii) Ten per cent of assets and savings between DKK 587,500 and DKK 1,175,100 are included.

(iii) Twenty per cent of assets and savings exceeding DKK 1,175,100 are included.

(2) The amounts specified in subsection (1) above shall be adjusted pursuant to section 72(1)(ii).

#### *The dwelling*

**9(1)** Housing benefits shall be available only in respect of dwellings whose kitchens have running water and a proper sewage pipe (flat), but see subsections (2) and (3) below.

(2) Housing benefits may be granted for dwellings without separate kitchen established pursuant to section 4 of the former Act on Housing for Elderly and Disabled Persons, cf. Consolidation Act No. 316 of 24 April 1996, or section 110(2) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc., and for persons living in shared housing arrangements; cf. Part 4a. The same shall apply to housing benefits for tenants in unsubsidised social sheltered housing, cf. section 143i of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc., and to housing benefits for tenants in unsubsidised private sheltered housing; cf. section 1(5) of the Rent Act.

(3) Assistance for the payment of lease premiums etc. may be granted for dwellings without separate kitchen in the cases specified in Parts 10, 10b and 11.

(4) In the event of subletting, lending to a third party or letting or use for business purposes of part of the flat, housing benefits shall be granted only if the part of the flat used by the applicant complies with the requirements set out in subsection (1) above.

#### Part 2

#### *Housing costs for persons falling within section 1 of the Act (tenants)*

**10(1)** Housing costs for tenants shall be based on the rent payable under the tenancy agreement in respect of the flat, common residential areas, access areas and any related usual outdoor areas.

(2) If the rent comprises payment for heating, hot water and electricity consumption, the rent shall be reduced when housing costs are calculated by DKK 60.00, DKK 19.00 and DKK 45.25 per square metre gross floor space; cf. section 72(1)(iii). In the event that the expenses for heating, hot water or electricity in the local authority area in question deviate from the amounts specified in the first sentence, the local council may determine a different amount. The decision by the local council pursuant to the second sentence cannot be appealed to any other administrative authority.

(3) Where the tenant pays for water consumption in addition to the rent, the rent shall be increased when housing costs are calculated by DKK 10.00 per square metre gross floor space if the tenant pays water charges in addition to the rent, and a further DKK 14.50 per square metre if the tenant pays drainage charges in addition to the rent; cf. section 72(1)(iv). In the event that the expenses for water and drainage charges in the local authority area in question deviate from the amount specified in the first sentence, the local council may determine a different amount. The decision by the local council pursuant to the second sentence cannot be appealed to any other administrative authority.

(4) Where the tenant is responsible for wallpapering, whitewashing and painting the premises, the rent shall be increased by DKK 45.25 per square metre gross floor space when housing costs are calculated. Where the tenant is only partly responsible, for example in pursuance of section 26 of the Act on the Rent of Social Housing etc., the rent shall be increased by DKK 22.50 per square metre gross floor space when housing costs are calculated. Where the tenant is responsible, in full or in part, for other maintenance, the rent shall be increased by DKK 45.25 per square metre gross floor space or DKK 22.50 per square metre gross floor space. The amounts specified in the first, second and third sentences shall be adjusted pursuant to section 72(1)(v) hereof.

(5) If the flat is heated exclusively by means of electricity or gas, or if heating is provided by a collective heating supply plant, and if the tenant pays the full cost of such heating in addition to the rent, the rent shall be increased by DKK 23.00 per square metre gross floor space when housing costs are calculated; cf. section 72(1)(vi).

(6) Housing costs pursuant to subsection (1) shall be calculated as the housing costs after deduction of phase-in assistance in pursuance of the Act on Urban Renewal and Urban Development.

(7) In the event of subletting, lending to a third party or letting or use for business purposes of part of the flat, an amount calculated pursuant to subsections (1)-(6) shall be deducted when housing costs are calculated. Such amount shall as a minimum correspond to the proportional share of the rent based on the number of rooms.

**11(1)** If the rent considerably exceeds the normal rent for usual flats of similar size, or if the rent is considered partial payment for luxurious equipment or location, the local council may decide to reduce the rent by an amount representing the difference.

(2) In respect of flats falling within Part II of the Act on Temporary Regulation of Housing Conditions, the local council may decide to bring the matter of the rent amount before the Rent Tribunal in pursuance of section 15 of the same Act. In respect of flats falling within Part IVA of the Act on Temporary Regulation of Housing Conditions, the local council may decide to bring the matter of the rent amount before the Rent Tribunal in pursuance of section 29f of the same Act. In respect of flats falling within Part VIII of the Rent Act, the local council may decide to bring the matter of the rent amount before the Rent Tribunal in pursuance of section 49 of the Act.

**12(1)** The housing costs calculated pursuant to sections 10 and 11 hereof shall be reduced in pursuance of the rules set out in subsections (2)-(6) in the calculation of housing benefits.

(2) The calculation in respect of one person shall include the housing costs for a gross floor space of 65 square metres. The calculation in respect of other members of the household shall include the housing costs for a gross floor space of 20 square metres.

(3) If the household includes any severely physically disabled persons and the dwelling is suitable for such purpose, the calculation of housing costs for one person shall include the housing costs for a gross floor space of 75 square metres. Subsection (2), second sentence, shall apply correspondingly.

(4) Where a member of the household receives constant care under section 77 of the Act on Social Services, the calculated gross floor space shall be increased by 10 square metres. Subsection (2), second sentence, shall apply correspondingly.

(5) If one or more rooms are sublet, lent to a third party, or let or used for business purposes, an area corresponding to at least the proportional share of the floor space based on the number of rooms shall be deducted when the floor space is calculated.

(6) The housing costs shall not be reduced pursuant to subsections (2)-(4) as regards unsubsidised private sheltered housing, cf. section 1(5) of the Rent Act, and unsubsidised social sheltered housing, cf. section 143i of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.

**12a** (Repealed)

**13(1)** Housing costs for pensioners shall not be adjusted pursuant to section 12 hereof if the floor space limits are exceeded

(i) due of the death of the pensioner's spouse;

(ii) because the spouses cease to live together as

a) the pensioner's spouse is admitted to sheltered housing pursuant to section 1(1), second sentence, of the former Act on Housing for Elderly and Disabled Persons; cf. Consolidation Act No. 316 of 24 April 1996;

b) the pensioner's spouse is admitted to sheltered housing pursuant to section 5(2) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.;

c) the pensioner's spouse is admitted to unsubsidised social sheltered housing, cf. section 143i of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc., or to unsubsidised private sheltered housing; cf. section 1(5) of the Rent Act;

d) the pensioner's spouse is admitted to a nursing home;

e) the pensioner's spouse is admitted to accommodation facilities pursuant to section 92 of the Act on Social Services; or

f) a decision is made to admit the spouse to the said sheltered housing, accommodation facilities or a nursing home during his/her hospitalisation at a somatic hospital.

(iii) due of the death of a person sharing the household of the pensioner; or

(iv) because the household is dissolved as a person sharing a household with the pensioner is admitted to sheltered housing as set out in paragraph (ii), to a nursing home or to accommodation facilities pursuant to section 92 of the Act on Social Services, or as a decision is made to admit the person to sheltered housing, accommodation facilities or to a nursing home during his/her hospitalisation at a somatic hospital.

(2) The provisions set out in subsection (1)(iii) and (iv) are subject to the household having existed for the past five years.

(3) Subsection (1)(i) shall apply correspondingly where a surviving spouse becomes eligible for social pension within six months from the death of the spouse.

**14(1)** The annual housing costs, on the basis of which housing benefits are calculated, cannot exceed DKK 62,600; cf. section 72(1)(vii). If the household comprises children, the amount shall be increased as follows:

1 child                      5 per cent

2 children                  10 per cent

3 children                  15 per cent

4 or more children 20 per cent

(2) If the household comprises any severely physically disabled persons and the dwelling is suitable for such purpose, the maximum amount specified in subsection (1), first sentence, shall be increased by 50 per cent. The increased amounts shall be rounded to the nearest whole amount divisible by 100.

(3) If any household member receives constant care under section 77 of the Act on Social Services without falling within subsection (2), the maximum amount specified in subsection (1), first sentence, shall be increased by 50 per cent. Subsection (2), second sentence, shall apply correspondingly.

(4) The threshold specified in subsection (1) shall not apply if the local council assigns to a person eligible for pensioners' rent allowance

(i) a dwelling for the elderly, cf. the former Act on Housing for Elderly and Disabled Persons; cf. Consolidation Act No. 316 of 24 April 1996;

(ii) a social dwelling, cf. the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.; or

(iii) unsubsidised private sheltered housing; cf. section 1(5) of the Rent Act.

(5) The threshold specified in subsection (1) shall not apply if a person who is severely physically disabled as a result hereof is assigned by the local council

(i) a suitable dwelling for the elderly, cf. the former Act on Housing for Elderly and Disabled Persons, cf. Consolidation Act No. 316 of 24 April 1996;

(ii) a suitable social dwelling, cf. the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.; or

(iii) suitable unsubsidised private sheltered housing; cf. section 1(5) of the Rent Act.

**15** If the rent exceeds half of the household income, the local council shall on the basis of an overall assessment of the financial and personal circumstances of the household members decide whether housing benefits can be granted. The same shall apply if special circumstances, for example in connection with the applicant's sale of his/her previous dwelling and rent of the flat for which housing benefits are applied, indicate that the tenancy agreement may have been drawn up for the purpose of becoming eligible for housing benefits. The local council may decide to grant reduced housing benefits.

### Part 3

#### *Housing costs for members of housing cooperatives and owners*

**16** The rules set out in sections 10-15 shall apply to the calculation of housing costs for members of private housing cooperatives.

**17(1)** The following amounts shall be included when owners' housing costs are calculated:

(i) payments of principal and interest on loans secured upon the property, cf. subsection (2) below;

(ii) road and sewerage charges etc. affecting the property;

(iii) property taxes levied, including property value tax. The property value tax for the year preceding the year to which the rent allowance relates shall be included. Other property taxes levied for the year to which the rent allowance relates shall be included;

(iv) operating and maintenance costs in respect of the property in the form of a standard amount of DKK 9,000, cf. section 72(1)(viii); and

(v) calculated tax on the profit on the property.

(2) The calculation pursuant to subsection (1)(i) shall be made as follows:

(i) 80 per cent of payments of principal and interest on the loans secured by registered mortgages on the property at the time of application shall be included;

(ii) where the cash value of the amount outstanding on the loans set out in paragraph (i) at the time of application exceeds 80 per cent of the public land assessment for the year preceding the time of application, the 80 per cent of payments of principal and interest set out in paragraph (i) above shall be reduced by the difference between 80 per cent of the cash value of the property and the cash value of the amount outstanding on the loans;

(iii) if new loans are subsequently raised or already existing loans are replaced by new loans secured upon the property, a new calculation shall be made upon application pursuant to paragraphs (i) and (ii) on the basis of the current cash values of the amount outstanding and the value of the property; and

(iv) where the property is newly built or newly parcelled out, the public land assessment for the year to which the rent allowance relates shall be used.

(3) The following amounts shall be deducted from the housing costs calculated pursuant to subsections (1) and (2):

(i) calculated tax on loss on the property; and

(ii) income from letting part of the property.

**18(1)** The Minister for Social Affairs is authorised to lay down rules for the calculation of housing costs

(i) for a pensioner living in a single-family house or an owner-occupied flat in which the pensioner owns a share;

(ii) for a pensioner living in one of the flats of a two-family house owned by the pensioner or in which the pensioner owns a share;

(iii) for a pensioner living in one of the flats of a house containing more than two flats owned by the pensioner or in which the pensioner owns a share;

(iv) for a pensioner living in the farmhouse of a farm property owned by the pensioner, and for a pensioner whose dwelling is used for business purposes; and

(v) for a pensioner living in a single-family house or a two-family or multiple-family house owned by a public or private limited liability company or the like in which the pensioner holds shares or the like.

(2) This provision shall apply correspondingly to persons falling within section 2a, (1)-(3).

**19** Interest on loans pursuant to this Act and the Act on Loans for the Payment of Real Property Tax and on the Amendment to the Tax Assessment Act cannot be included when housing costs are calculated.

**20** The rules set out in sections 12-15 shall also apply to owners.

#### Part 4

#### *Calculation of housing benefits*

**21(1)** Pensioners' rent allowance shall be calculated as the difference between 75 per cent of the annual housing costs, cf. Parts 2 and 3, with addition of DKK 4,700, cf. section 72(1)(ix), and 22.5 per cent of the household income under section 8 exceeding DKK 111,600; cf. section 72(1)(x). If the household comprises more than one child, the income threshold pursuant to the first sentence shall be increased by DKK 29,400, cf. section 72(1)(xi), for each child up to a maximum of four children.

(2) Notwithstanding subsection (1) above, the rent allowance recipient shall pay a share of the housing costs, cf. Parts 2 and 3, corresponding to 11 per cent or more of his/her household income, cf. section 8 hereof, provided always that such amount shall constitute not less than DKK 11,800; cf. section 72(1)(xii).

**21a** (Repealed)

**22(1)** Rent subsidy shall be calculated as the difference between 60 per cent of the annual housing costs, cf. Parts 2 and 3, and 18 per cent of the household income under section 8 exceeding DKK 111,600; cf. section

72(1)(xiii). If the household comprises more than one child, the income threshold pursuant to the first sentence shall be increased by DKK 29,400, cf. section 72(1)(xiv), for each child up to a maximum of four children.

(2) Notwithstanding subsection (1) above, the rent subsidy recipient shall pay DKK 18,800 or more of the housing costs, cf. Parts 2 and 3; cf. section 72(1)(xv).

(3) In households without children the rent subsidy cannot exceed 15 per cent of the housing costs; cf. Parts 2 and 3 hereof. But this shall not apply where

(i) a member of the household is in receipt of anticipatory pension;

(ii) a member of the household is severely physically disabled and the dwelling is suitable for such purpose; or

(iii) a member of the household receives constant care under section 77 of the Act on Social Services.

#### **22a (Repealed)**

**23(1)** The annual housing benefits cannot exceed DKK 33,036; cf. section 72(1)(xvi). Where the household comprises four or more children, the maximum amount shall be increased by 25 per cent. If the household comprises any severely physically disabled persons and the dwelling is suitable for such purpose, the maximum amount specified in the first sentence shall be increased by 50 per cent. Where a household member receives constant care under section 77 of the Act on Social Services without falling within the third sentence, the maximum amount specified in the first sentence shall be increased by 50 per cent.

(2) The threshold specified in subsection (1) shall not apply if the local council assigns to a person eligible for pensioners' rent allowance

(i) a dwelling for the elderly, cf. the former Act on Housing for Elderly and Disabled Persons, cf. Consolidation Act No. 316 of 24 April 1996;

(ii) a social dwelling, cf. the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.; or

(iii) unsubsidised private sheltered housing; cf. section 1(5) of the Rent Act.

(3) The threshold specified in subsection (1) shall not apply if a person who is severely physically disabled as a result hereof is assigned by the local council

(i) a suitable dwelling for the elderly, cf. the former Act on Housing for Elderly and Disabled Persons, cf. Consolidation Act No. 316 of 24 April 1996;

(ii) a suitable social dwelling, cf. the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.; or

(iii) suitable unsubsidised private sheltered housing; cf. section 1(5) of the Rent Act.

(4) The threshold specified in subsection (1) may be derogated from in specific cases if the local council finds that special circumstances pertaining to the financial and personal circumstances of the housing benefit recipient may justify higher housing benefits. The decision by the local council pursuant to the first sentence cannot be appealed to any other administrative authority.

**24** Housing benefits shall be calculated as an annual whole amount divisible by 12.

#### Part 4a

##### *Housing benefits for persons living in shared housing*

**24a(1)** Notwithstanding section 9(1) housing benefits may be granted:

(i) to persons having a social need to live in shared housing who have a dwelling in shared housing assigned to them by a local council, a county council, a social housing organisation, cf. section 1 of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc., or by a private organisation as landlord;

(ii) to close relatives of persons with special social needs, cf. paragraph (i) above, who have a dwelling assigned to them in the said shared housing arrangement;

(iii) to persons aged 55 years or over living in shared housing;

(iv) to close relatives of persons falling within paragraph (iii) above who live together with such persons in shared housing; and

(v) to persons living in a shared housing arrangement set up pursuant to section 3(2)-(4), section 5(3)-(5) or section 160b(6) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.

(2) Notwithstanding subsection (1)(ii) and (iv) children, cf. section 7(2), of persons falling within subsection (1) who live in shared housing together with one or both parents shall not be eligible for housing benefits.

(3) Housing benefits cannot be paid in pursuance of Parts 4 or 5 to a household in which one or more members receive housing benefits under subsection (1) above.

**24b(1)** Entitlement to housing benefits under section 24a(1) shall be subject to

(i) the shared housing arrangement consisting of five persons or more who all comply with the requirements set out in section 24a(1)(i) or all comply with the requirements set out in section 24a(1)(iii); or

(ii) the shared housing arrangement consisting of five persons or more and having been set up pursuant to section 3(2)-(4), section 5(3)-(5) or section 160b(6) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.; cf. section 24a(1)(v) hereof.

Notwithstanding paragraphs (i) and (ii) the local council may in special cases permit that the shared housing arrangement consists of three persons or more.

(2) Entitlement to housing benefits shall also be subject to all persons living in the shared housing arrangement complying with the requirements set out in section 24a(1)(i) or (ii) or in section 24a(1)(iii) or (iv). This shall not apply to the persons specified in section 24a(1)(v).

(3) Notwithstanding subsection (1) persons living in shared housing complying with the requirements set out in section 24a(1)(i) or (iii) shall remain eligible for housing benefits for up to three months in the event that the number of residents becomes less than five due to the death or moving of one or more residents. The same shall apply to residents falling within section 24a(1)(v).

(4) If the local council has approved that the shared housing arrangement consists of three residents or more, subsection (3) shall apply correspondingly.

(5) Entitlement to housing benefits under subsections (1)-(3) shall be subject to the number of rooms in the common dwelling exceeding the number of residents by one or more.

(6) Tenants living in shared housing arrangements set up in previous accommodation facilities falling within the scope of the Act on Social Services shall not be eligible for housing benefits under subsection (1) above unless the dwellings have been radically improved to the effect that they have become considerably better suited as shared housing for persons with special social needs.

**24c(1)** The housing costs to be used when housing benefits are calculated for persons falling within section 24a shall be as follows:

(i) For persons falling within section 24a in shared housing in which all residents are tenants, the individual resident's actual share of total housing costs for the dwelling calculated pursuant to sections 10 and 11 hereof.

(ii) For persons falling within section 24a(1)(iii) and (iv) or (v) in shared housing in which one or more residents are members of a private housing cooperative, the individual resident's actual share of total housing costs for the dwelling calculated pursuant to section 16; cf. sections 10 and 11 hereof.

(iii) For persons falling within section 24a(1)(iii) and (iv) in shared housing in which one or more residents are owners, the individual resident's actual share of total housing costs for the dwelling calculated pursuant to section 17 hereof.

(iv) For persons falling within section 24a(1)(iii) and (iv) in shared housing in which one or more residents are owners, co-owners or in any other way included in the persons specified in section 18 hereof, the individual resident's actual share of total housing costs for the dwelling calculated pursuant to section 18 hereof.

(2) Sections 11 and 15 shall apply correspondingly to the individual shared housing resident's actual share of total housing costs.

**24d(1)** Notwithstanding section 24c the calculated housing costs for each person falling within section 24a(1) cannot exceed the proportional share of the total housing costs per square metre gross floor space for 65 square metres. Where the applicant is severely physically disabled and the common dwelling is suitable for such purpose, the calculation of housing costs shall instead include the proportional housing costs for 75 square metres. If a person falling within section 24a(1) lives in shared housing together with one or more children, cf. section 7(2), the floor space specified in the first sentence shall be increased by 20 square metres. If both parents live in the shared housing arrangement, the floor space specified in the third sentence shall be increased for the parent with whom the child is included when the household income is calculated; cf. section 8(6) hereof.

(2) The annual housing costs under section 24c and subsection (1) above on the basis of which housing benefits are calculated cannot exceed DKK 20,800 per person; cf. section 72(1)(xvii). If the applicant is severely physically disabled, and the dwelling is suitable for such purpose, the amount specified in the first sentence shall be increased by 100 per cent. If a person falling within section 24a(1) lives in shared housing together with one or more children, cf. section 7(2), the amount specified in the first sentence shall be increased by 100 per cent. If both parents live in the shared housing arrangement, the maximum housing costs specified in the third sentence shall be increased for the parent with whom the child is included when the household income is calculated; cf. section 8(6) hereof.

(3) The thresholds set out in subsection (2) shall not apply to the calculation of housing benefits:

(i) for persons who have a dwelling in shared housing assigned to them;

(ii) for persons whose physical or mental functional capacity is permanently and substantially reduced and who are eligible for benefits under section 73 of the Act on Social Services; and

(iii) for persons with special social problems who are eligible for benefits under section 73 of the Act on Social Services as well as persons suffering from senile dementia in need of constant care.

**24e(1)** Pensioners' rent allowance falling within section 24a shall be calculated pursuant to section 21. When the calculation is made pursuant to section 21, the amount added to the rent shall constitute 1/3 of the amount specified in section 21(1), first sentence.

(2) Rent subsidy for persons falling within section 24a shall be calculated pursuant to section 22(1) and (2).

(3) The annual housing benefits for a person falling within section 24a cannot exceed DKK 11,016; cf. section 72(1)(xviii). If the applicant is severely physically disabled, and the dwelling is suitable for such purpose, the amount specified in the first sentence shall be increased by 100 per cent. If a person falling within section 24a(1) lives in shared housing together with one or more children, cf. section 7(2), the amount specified in the first sentence shall be increased by 100 per cent. If both parents live in the shared housing arrangement, the maximum housing benefits specified in the third sentence shall be increased for the parent with whom the child is included when the household income is calculated; cf. section 8(6) hereof.

(4) The thresholds specified in subsection (3) shall not apply to the calculation of housing benefits:

(i) for persons who have a dwelling in shared housing assigned to them;

(ii) for persons whose physical or mental functional capacity is permanently and substantially reduced and who are eligible for benefits under section 73 of the Act on Social Services; and

(iii) for persons with special social problems who are eligible for benefits under section 73 of the Act on Social Services and persons suffering from senile dementia in need of constant care.

(5) Section 24 shall apply correspondingly.

**24f(1)** The local council or the county council, as the case may be, may provide housing for the setting up of shared housing arrangements for persons with special social needs; cf. section 24a(1)(i).

(2) Where a residential flat is made available by the local council or the county council for the persons specified in section 24a(1)(i), the local council or the county council shall pay the rent as from the date on which the flat becomes available and until the flat is let to another tenant.

(3) In the event that one of the persons specified in section 24a(1)(i) or (ii) leaves the shared housing arrangement, the local council or the county council, as the case may be, shall pay the rent as from the time of leaving

and until a new resident has the shared housing dwelling assigned to him/her.

**24g(1)** Housing benefits for persons living in shared housing under section 24a in which all residents are tenants shall be paid as a grant.

(2) Housing benefits for persons in other shared housing arrangements under section 24a shall be paid partly as a grant (40 per cent) and partly as a loan (60 per cent).

(3) Section 33 shall apply correspondingly to grants under this Part. Sections 19, 34-37 and 39 shall apply correspondingly to loans under this Part.

Part 5  
*(Repealed)*

**25-29b** (Repealed)

Part 6  
*Grant or loan*

**30(1)** The calculated rent allowance for pensioners living in rented accommodation shall be paid as a grant.

(2) The calculated rent subsidy for persons living in rented accommodation shall be paid as a grant.

**31(1)** The calculated pensioners' rent allowance for owners, including a pensioner living in a single-family house or an owner-occupied flat, in which the pensioner owns a share, and where all the owners live in the property, and a pensioner living in one of the flats of a two-family house owned by the pensioner, shall be granted as a loan.

(2) The calculated rent subsidy for owners falling within section 2a(1)-(3) shall be granted as a loan.

**32(1)** The calculated pensioners' rent allowance shall be paid as a grant (40 per cent) and as a loan (60 per cent)

(i) to a pensioner who is a member of a private housing cooperative;

(ii) to a pensioner living in a single-family house or an owner-occupied flat, in which the pensioner owns a share, and in which not all the owners live in the dwelling;

(iii) to a pensioner living in one of the flats of a two-family house in which the pensioner owns a share;

(iv) to a pensioner living in one of the flats of a house containing more than two flats owned by the pensioner or in which the pensioner owns a share;

(v) to a pensioner living in the farmhouse of a farm property owned by the pensioner; and

(vi) to a pensioner living in a single-family house or in a two-family or multiple-family house owned by a public or private limited liability company or the like in which the pensioner holds shares or the like.

(2) The provision under subsection (1)(vi) shall not apply to pensioners who are tenants in properties owned by social housing organisations; cf. section 1 of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.

(3) For dwellings as referred to in subsection (1) hereof, the calculated rent subsidy for persons falling within section 2a(1)-(3) shall be paid as a grant (40 per cent) and as a loan (60 per cent).

**33** Rent subsidy and pensioners' rent allowance cannot be paid as a grant if the amount calculated is less than DKK 2,424; cf. section 72(1)(xix).

**34** Pensioners' rent allowance and rent subsidy cannot be paid as a loan if the loan amount calculated is less than DKK 2,424; cf. section 72(1)(xx).

#### Part 7

##### *Special rules for rent allowance by way of loans and rent subsidy by way of loans*

**35** Pensioners' rent allowance and rent subsidy by way of loans shall carry an annual interest corresponding to the official discount rate of the Nationalbank at 1 October the previous year. Interest shall accrue every month, and the borrower shall be informed of the total loan amount and the interest accrued during the year in January each year.

**36(1)** The disbursement of a loan shall be subject to the applicant signing an instrument of debt in respect of the loan. Where the applicant does not own the dwelling, cf. section 2(2), the disbursement shall also be subject to the owner of the dwelling signing an instrument of debt.

(2) The granting of a loan pursuant to section 31 shall be subject to an all-moneys mortgage or an owner's mortgage that advances with the repayment of prior mortgages being registered on the property as security for the repayment of such loan with accrued interest. The first sentence shall apply correspondingly to the granting of a loan pursuant to section 32(1)(ii)-(vi) and section 32(3); cf. 32(1)(ii)-(vi).

**37** If the applicant has not repaid the amounts outstanding on a previous rent allowance loan or rent subsidy loan, the local council may refuse to disburse the part of the calculated rent allowance or rent subsidy to be granted as a loan.

**38** The local council shall permit an all-moneys mortgage or an owner's mortgage registered on the property under section 36 above to vacate its position in favour of any subsequent loans granted in pursuance of the rules set out in the Mortgage Credit Act, in the following cases:

(i) Where the all-moneys mortgage or the owner's mortgage after vacation of its position has security within the scope of the most recent public land assessment plus 30 per cent.

(ii) Where the loan is obtained for the purpose of repaying loans previously secured on the property prior to the issue of the all-moneys mortgage or the owner's mortgage. The amount of the new loan may not exceed the outstanding amount on previous loans including any costs pertaining to the loan conversion. The life and repayment profile of the new loan shall also correspond to those of the previous loan. The actual life of the new loan may be extended to the nearest standard life for bond series.

**39(1)** The loan amount including accrued interest shall fall due on the change of ownership, on the assignment of the membership of a housing cooperative or if the borrower leaves the household.

(2) The loan amount including accrued interest shall not fall due on the change of ownership or on the assignment of the membership of a housing cooperative unless the borrower dies and the property or the membership is held by a spouse or another household member. The same shall apply if the borrower is admitted to sheltered housing, cf. section 1(1), second sentence, of the former Act on Housing for Elderly and Disabled Persons, cf. Consolidation Act No. 316 of 24 April 1996, or section 5(2) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc., to a nursing home, or to accommodation facilities pursuant to section 92 of the Act on Social Services, and the property or the membership of a housing cooperative is held by a spouse or a household member.

(3) Subsection (1) shall not apply

(i) if the borrower is a member of a housing cooperative and the loan amount is immediately transferred to a new housing cooperative dwelling or an owner-occupied dwelling;

(ii) if the borrower is the owner and the loan amount is immediately transferred to a new housing cooperative dwelling or an owner-occupied dwelling, and the borrower at the same time pays 15 per cent of the loan amount with accrued interest to the local authority;

(iii) if the property or the membership of the housing cooperative is taken over by a surviving spouse, for example for the purpose of retaining undivided possession of the estate, or by a surviving household member;

(iv) if the property or the membership of the housing cooperative is taken over by the borrower's spouse or by a household member in connection with the borrower's admission to

a) sheltered housing pursuant to section 1(1), second sentence, of the former Act on Housing for Elderly and Disabled Persons, cf. Consolidation Act No. 316 of 24 April 1996;

b) sheltered housing pursuant to section 5(2) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.;

c) unsubsidised social sheltered housing, cf. section 143i of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.;

d) unsubsidised private sheltered housing, cf. section 1(5) of the Rent Act;

e) a nursing home; or

f) accommodation facilities pursuant to section 92 of the Act on Social Services; or

(v) if the loan has been granted under section 24g(2), and the borrower does not leave the shared housing arrangement.

(4) The provisions for a household member set out in subsections (2) and (3) are subject to the shared housing arrangement having existed for not less than five years.

(5) The taking over of loans, cf. subsection (2) and subsection (3)(iii) and (iv), is subject to the spouse or the household member signing a document whereby he/she assumes the debt.

**39a(1)** The local council shall forthwith inform the Financial Administration Agency if, in respect of a loan granted under section 31, the local council is requested to waive its rights without full repayment of the loan or if an application is made to sell the property by way of public auction. The Financial Administration Agency shall safeguard the interests of the local council and the Government in respect of the loan.

(2) Subsection (1) shall apply correspondingly to the granting of a loan pursuant to section 32(1)(ii)-(vi) and section 32(3); cf. 32(1)(ii)-(vi).

## Part 8 *Application and payment*

**40(1)** Applications for housing benefits shall be submitted to the local council. Housing benefits shall be granted as from the beginning of the month following the submission of the application.

(2) Where the applicant submits his/her application upon occupying a dwelling, the local council may, whether or not the applicant has received housing benefits for another dwelling, decide to pay housing benefits as

from the day of occupation, provided always that such date is not more than one month after submission of the application.

(3) Housing benefit recipients entitled to loans under sections 24g, 31 and 32 may apply for full or partial disbursement of the calculated loan. Apart from the cases set out in subsection (1) housing benefit recipients may only apply for disbursement as from 1 January of the subsequent year.

**41(1)** The local council may decide that a special form is required for the application for housing benefits.

(2) Entitlement to housing benefits shall be subject to all household members living in the dwelling for which an application has been made signing a declaration whereby they become jointly and severally liable for any claim for repayment; cf. section 48b hereof. This shall not apply to children; cf. section 7(2) and (3). Household members not living in the dwelling at the time of application shall sign such declaration of joint and several liability not later than three months after moving in. Children of the household shall sign a declaration of joint and several liability not later than three months after attaining the age of 18.

(3) The applicant shall upon request submit any information, including any documents, that may affect the calculation of housing benefits.

(4) The local council may require that owners of properties with flats for which housing benefits are granted submit any information necessary for the consideration of matters pertaining to the granting of housing benefits, and may let such properties inspect according to agreement with the applicant.

**42(1)** Housing benefits shall be calculated and paid by the local council.

(2) Housing benefits shall be paid monthly in advance. The Minister for Social Affairs is authorised to lay down rules for the payment of housing benefits. The decision by the local council in accordance with the rules laid down by the Minister for Social Affairs pursuant to the second sentence above cannot be appealed to any other administrative authority.

(3) Housing benefits shall lapse upon vacation of the premises. Upon the death of a single tenant the housing benefits shall lapse by the end of the month in which the tenant dies. In the event of subletting, lending to a third party or use for business purposes of part of the flat, the housing benefits shall lapse or be reduced as from the first day of the month following the date on which the subletting, the lending or the use for business purposes takes effect. Section 46(7) shall apply correspondingly. Where the tenant is offered temporary accommodation in the accommodation facilities specified in Part 18 of the Act on Social Services, he/she shall retain the right to housing benefits in respect of his/her previous dwelling.

(4) A tenant cannot due to non-receipt or delayed receipt of housing benefits escape the consequences of late payment of rent, property tax or debt secured by mortgages.

**42a(1)** The payment of the calculated housing benefits may be reduced if one or more members of the household fall within section 25b of the Act on an Active Social Policy. The reduction shall be made pursuant to the rules of sections 25b, 25c and 25e of the Act on an Active Social Policy.

(2) The right to recovery of payment of housing benefits without reduction pursuant to the rules of sections 25b, 25c and 25e of the Act on an Active Social Policy shall not require any application, provided that the conditions for the reduction are no longer met.

(3) Sections 33 and 34 shall not apply to periods during which the payment of the calculated housing benefits has been reduced pursuant to the rules of sections 25b, 25c and 25e of the Act on an Active Social Policy.

(4) The Minister for Social Affairs may lay down rules for the administration of housing benefits as a result of the reduction of housing benefits pursuant to the rules of sections 25b, 25c and 25e of the Act on an Active Social Policy.

#### Part 9

##### *Recalculation and adjustment*

##### *Recalculation in the course of the year*

**43(1)** Housing benefits shall be adjusted every year on 1 January on the basis of the changes to the basis of calculation having occurred since the most recent calculation. If the applicant informs the local council by the end of January of any changes having occurred with effect from 1 January, housing benefits shall, notwithstanding section 44(1), second sentence, be calculated on the basis thereof with effect from 1 January.

(2) The local council may require applicants to submit information on their rent, household and household income every year. Where, upon request, the benefit recipient fails to submit such information, the local council may decide to terminate housing benefits with effect from 1 January.

(3) Applicants shall inform the local council of any conditions likely to cause reduction or termination of housing benefits.

**44(1)** Where the household income on which the calculation of housing benefits has been based decreases in the course of the year, and the said decrease results in the household income decreasing by not less than DKK 10,000 annually for the remainder of the year, the housing benefits may be recalculated when the change has occurred. The recalculation cannot take effect earlier than from the beginning of the month following the applicant's notification to the local council. The same shall apply if the number of children comprised by the household increases in the course of the year; if the subletting, lending to a third party, or letting or use for business purposes of part of the flat ceases or if the rent is increased.

(2) A reduction of the assets and savings of the household shall only give rise to recalculation of the adjustment for assets and savings under section 8(5), cf. section 8a, and recalculation of housing benefits if such assets and savings have been reduced by DKK 100,000 or more and the benefit recipient makes a request to that effect. Subsection (1), second sentence, shall apply correspondingly.

(3) Where the change relates to a rent increase the recalculation may be effected on the basis of information submitted by the landlord. The local council shall inform the applicant or the benefit recipient of the reason for the recalculation.

(4) The local council shall inform the applicant of the possibility of having housing benefits recalculated in the course of the year.

**45** The changed housing benefits shall become effective from the time when a rent increase under sections 50 and 51 of the Rent Act takes effect if the rent increase is payable as a lump sum and if the tenant informs the local council of the change before the rent increase falls due.

**46(1)** For the purpose of recalculation in the course of the year, applicants shall inform the local council of any conditions likely to cause reduction or termination of housing benefits; cf. subsection (2) below. In the event that, upon request, prior to a time limit set by the local council, the applicant fails to submit specified information on housing costs, household and household income, the local council shall be entitled to terminate the housing benefits upon expiry of the time limit. The same shall apply if, upon request, a household member fails to sign a declaration of joint and several liability prior to expiry of the time limit specified in section 41(2) hereof.

(2) In the event that the total expected household income for the year increases by DKK 18,800 or more in the course of the year, cf. section 72(1)(xxi), compared with the previously expected income for the year, the housing benefits shall be recalculated with effect from the beginning of the month following the change. The household income shall be recalculated and annualised on the basis of the actual income at the time of recalculation. The same shall apply if the number of children comprised by the household decreases in the course of the year, if part of the flat is sublet, lent to a third party, or let or used for business purposes or if the rent is reduced.

(3) Where the change relates to a rent reduction the recalculation may be effected on the basis of information submitted by the landlord. The local council shall inform the applicant or the benefit recipient of the reason for the recalculation.

(4) An increase of the assets and savings of the household shall not give rise to recalculation of the adjustment for assets and savings under section 8(5), cf. section 8a, and recalculation of housing benefits.

(5) Where that change relates to lump sum payments such as grants, severance payments or the like not pertaining to a particular period, such

amount shall be added to the household income as from the first day of the month following the time of payment and shall be deemed to relate to the remainder of the year. The amounts specified in the first sentence above shall always be added in respect of not less than one month.

(6) Where, due to termination of his/her salaried employment, the applicant receives a holiday allowance during his/her holiday that is subject to tax in the housing benefit year but not paid until the subsequent year, such holiday allowance shall not be added to the household income.

(7) If a change occurs with effect from the first day of a month, such change shall be deemed to have occurred in the previous month.

(8) The local council may require that housing benefits paid in excess of entitlement under subsections (1)-(7) be repaid; cf. section 49 hereof.

#### *Adjustment*

**47(1)** If the actual household income exceeds the household income calculated pursuant to section 8 hereof by DKK 18,800 or more, cf. section 72(1)(xxi), the housing benefits received in excess of entitlement shall be repaid.

(2) An income increase shall not be added in so far as the applicant is able to substantiate that such increase is due to a holiday allowance as set out in section 46(6) hereof.

(3) An increase of the assets and savings of the household shall not give rise to recalculation of the adjustment for assets and savings under section 8(5), cf. section 8a, or repayment of the housing benefits pursuant to subsections (1) and (2) above.

(4) Subsection (1) shall not apply if the applicant substantiates that he/she has informed the local council of any income changes exceeding the threshold specified in subsection (1) above.

(5) Where the benefit recipient has failed to inform the local council of any income changes in the course of the year, such changes shall be deemed to relate to the entire year. In respect of benefit recipients who have only received benefits for part of the year, the year shall be divided into periods if such benefit recipient is able to substantiate that such income relates to only the part of the year in which he/she did not receive housing benefits. The year shall also be divided into periods if the benefit recipient has received housing benefits for several dwellings within a single year.

(6) Where in the course of the year the benefit recipient has informed the local council of an income reduction giving rise to recalculation under section 44, or of an income increase under section 46, the year shall be divided into periods when the amount to be repaid is calculated. Any such income increase shall be added to the household income as from the first day of the month following the change, whereas any income increase of which

the local council has not been informed shall be deemed to relate to the entire year. Subsection (5), second and third sentences, shall apply correspondingly.

(7) Where the applicant has failed to give notice of conditions other than those set out in subsection (1), cf. sections 43(3) and 46(1), or where the applicant has received unjustified housing benefits in bad faith, he/she shall repay any amount so received.

(8) The local council cannot claim repayment under subsection (1) if the claim for repayment for a calendar year amounts to less than DKK 816; cf. section 72(1)(xxii). The local council may also refrain from claiming repayment under subsection (7) if the claim for repayment amounts to less than DKK 816; cf. section 72(1)(xxii).

(9) The local council shall inform the applicant of the rules in writing and that failure to comply with the said rules may render the applicant criminally liable.

**48(1)** In cases where housing costs are reduced retrospectively, the applicant or, if the applicant has died, his/her estate shall repay the housing benefits received in excess of entitlement as from the date on which the reduction takes effect whether or not the applicant has neglected his/her duty of disclosure or has received unjustified housing benefits in knowledge to the contrary.

(2) The claim for repayment cannot exceed the amount that the applicant is entitled to receive as housing costs paid in excess.

**48a** In cases where the household income is increased retrospectively under section 39(3) of the Act on Social Pensions, the income increase shall be taken into consideration in connection with recalculation and adjustment pursuant to sections 46 and 47 whether or not the applicant has neglected his/her duty of disclosure.

**48b(1)** In respect of repayment of housing benefits under sections 46 and 47 the applicant and all household members having signed a declaration to that effect shall be jointly and severally liable for the period in which they have lived in the dwelling.

(2) As to claims for repayment under section 47(7) persons other than the applicant shall only be liable pursuant to subsection (1) in so far as they knew that the applicant was not entitled to housing benefits.

(3) The local council shall in writing inform all signers of the applications of the rules set out in this provision.

**49(1)** Claims for repayment of housing benefits may be set off against future rent subsidy or pensioners' rent allowance. Such claims may also be set off against overpaid tax including compensation and interest and against repayments under section 55 of the Tax at Source Act.

(2) Collection proceedings in respect of housing benefit repayments shall be subject to the provisions governing the collection of personal taxes.

(3) Claims for housing benefits shall not be available for attachment, execution or other legal proceedings. Any agreement on such claims shall be void.

**50(1)** As regards recipients of social pension, pension received in excess of entitlement may be set off against housing benefits.

(2) Claims for repayment of cash benefits under the Act on an Active Social Policy may be set off against the housing benefits pertaining to the period between the time when the application is submitted and the time when pension is granted.

(3) Claims for payment of property taxes pertaining to the property in which the recipient of housing benefits lives may be set off against housing benefits.

**51(1)** The arrears collection authority may decide to write off the claim for repayment if satisfied that there is no chance of collecting the claim within a reasonable number of years after raising the claim. The decision by the local council pursuant to the first sentence cannot be appealed to any other administrative authority.

(2) Furthermore, the arrears collection authority may decide to waive claims under subsection (1) in pursuance of the rules of the Tax Collection Act.

**52(1)** A pensioner whose pension is withdrawn during institutionalisation or imprisonment pursuant to the provisions of the Pensions Act shall lose his/her right to housing benefits as from the time when the pension is withdrawn.

(2) If, after the withdrawal of the pension, an amount for the payment of rent is paid in pursuance of the Pensions Act, the pensioner shall retain the right to housing benefits.

**53** (Repealed)

## Part 10

### *Assistance for the payment of lease premium*

**54(1)** Pursuant to the provisions of sections 55 and 56 loans may be granted upon application for the payment of lease premiums in properties falling within the scope of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc. except social housing for young persons without separate kitchen and properties belonging to social institutions, provided that government subsidies were granted to the construction of the latter properties pursuant to Part 12 of the Act on Housing Construction or any former acts on housing construction; cf. most recently Part 6 of

Consolidation Act No. 483 of 16 August 1973. It is a condition that the flat or the room is not brought into use earlier than on 1 April 1964 or that the tenant has been obliged to vacate his/her previous flat due to housing redevelopment or a decision made pursuant to the Act on Urban Renewal and Urban Development or the Act on Urban Renewal or the Act on Urban Renewal and Housing Improvement.

(2) Subsection (1), first sentence, shall apply correspondingly

(i) to housing for the elderly established pursuant to the former Act on Housing for Elderly and Disabled Persons, cf. Consolidation Act No. 316 of 24 April 1996, and to social housing for the elderly falling within the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.; and

(ii) to housing subsidised pursuant to Part 12a of the Act on Housing Construction.

(3) Subsection (1), first sentence, shall also apply correspondingly where a tenant of a rental property that is converted into dwellings for the elderly or social dwellings for the elderly already lives in the converted flat.

**55(1)** The local council shall grant loans pursuant to sections 56 and 57. Loans shall be granted by the local authority in whose area the dwelling is situated. Where the tenant has been obliged to vacate his/her previous flat due to housing redevelopment or urban renewal, cf. section 54(1), second sentence, loans shall be granted by the former local authority of residence.

(2) Such loans cannot be granted if, based on a total assessment of the applicant's financial and personal circumstances, the local council finds that the said applicant does not need the loan. The local council may also refuse a loan application if the circumstances are such that the council may refuse to grant housing benefits, cf. section 15 hereof, or if the applicant has failed to repay a previous loan for payment of lease premium.

**56(1)** Loans for the payment of lease premium in flats shall be granted to tenants whose household income, cf. section 8 hereof, does not upon their occupation of the flat exceed an amount equivalent to the total pension to which an old-age pensioner couple is entitled as basic amount and addition to the pension pursuant to section 49(1)(i) and (iii) of the Act on Social Pensions with addition of 5 per cent. If the household comprises children, the amount shall be increased by DKK 29,400, cf. section 72(1)(xxiii), for each child up to a maximum of four children.

(2) Loans for the payment of lease premium in separate rooms shall be granted to tenants whose household income, cf. section 8 hereof, does not upon their occupation of the room exceed an amount equivalent to the pension to which a single pensioner is entitled pursuant to section 49(1)(i) and (iii) of the Act on Social Pensions with addition of 5 per cent. Subsection (1), second sentence, shall apply correspondingly.

(3) Loans for the payment of lease premium in the cases set out in section 54(3) shall be granted irrespective of the tenant's household income. Section 55(2) shall not apply to such loans.

**56a(1)** Loans pursuant to the rules of section 56(2) shall be granted to three or more persons living in shared housing as set out in section 54(1) or section 54(2)(ii).

(2) Where in pursuance of section 51(2) of the Act on Social Housing and Subsidised Private Cooperatives etc. the local council or the county council has rented a flat as set out in section 54(1), the local council may grant loans to persons living in the shared housing arrangement for the payment of the part of the deposit paid by the local council or the county council as lease premium.

(3) Loans shall be granted in proportional shares to the persons living in the shared housing arrangement who comply with the requirements set out in section 24a hereof.

(4) The disbursement of a loan for the payment of lease premium is subject to the shared housing arrangement complying with the requirements set out in section 24b hereof.

**57** Loans under section 56(2) shall be granted to three or more young persons as specified in section 68(1) of the Act on Housing Construction and section 52(1) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc., who together rent a flat with three or more rooms. Loans shall be granted for the payment of the individual tenant's proportional share of the lease premium.

**58(1)** No payment of principal and interest shall be required for the first five years for loans granted pursuant to section 56(1) hereof. After the expiry of the said period, the loan shall be repaid over a term of ten years and shall bear interest at a rate of 4.5 per cent of the amount outstanding on the loan from time to time.

(2) No payment of principal and interest shall be required for the first five years for loans granted pursuant to sections 56(2), 56a and 57 hereof. After the expiry of the said period, the loan shall be repaid over a term of five years or less and shall bear interest at a rate of 4.5 per cent of the amount outstanding on the loan from time to time.

(3) Where warranted by the borrower's household income and financial circumstances, the local council may extend the periods set out in subsections (1) and (2) in which no payments of principal and interest are made.

(4) Where warranted by the amount of the household income or significantly changed circumstances the local council may require that the exemption from payment of principal and interest granted under this Part be terminated

or that the loan be repaid over a shorter term determined by the local council or be repaid in full by 12 months' notice.

(5) Where warranted by the borrower's household income and financial circumstances, the local council may reintroduce the exemption from payment of principal and interest whether or not repayment of the loan has commenced.

(6) No payment of principal and interest shall be required for loans granted pursuant to section 56(3) hereof.

**59(1)** For tenants falling outside the provisions of sections 55-57 the local council may grant loans or provide loan guarantees for the payment of lease premiums in properties falling within the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc. except social housing for young persons without separate kitchen. The same shall apply to properties belonging to social institutions if subsidies have been granted to the construction of the said properties in pursuance of Part 12 of the Act on Housing Construction or any former acts on housing construction; cf. most recently Part 6 of Consolidation Act No. 483 of 16 August 1973.

(2) Subsection (1) shall apply correspondingly to housing for the elderly established pursuant to the former Act on Housing for Elderly and Disabled Persons, cf. Consolidation Act No. 316 of 24 April 1996, and to social housing for the elderly falling within the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.

(3) Subsection (1) shall apply correspondingly to housing subsidised pursuant to Part 12a of the Act on Housing Construction.

(4) Where in pursuance of section 51(2) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc. the local council or the county council has rented a flat as set out in subsection (1), the local council may grant assistance pursuant to subsection (1) to persons living in the shared housing arrangement in respect of the part of the deposit paid by the local council or the county council as lease premium.

(5) Only the local authority in whose area the dwelling is situated may grant loans. In the event that the tenant's previous dwelling is situated in the area of another local authority, it may be agreed that loans shall be granted by the former local authority of residence. Where the tenant has been obliged to vacate his/her previous flat due to housing redevelopment or urban renewal, cf. section 54(1), second sentence, loans may also be granted by the former local authority of residence.

**60(1)** In respect of households who are obliged to vacate a residential flat under section 58 of the Act on Urban Renewal and Urban Development or section 142 of the Act on Urban Renewal or section 36 of the Act on Urban Renewal and Housing Improvement, the local council of the former local authority of residence may grant loans or provide loan guarantees for the payment of prepaid rent, deposit or share in private housing cooperatives if

the local council finds that the household needs such loans in order to obtain a dwelling suitable for its needs.

(2) The provision of subsection (1) shall apply correspondingly to households that have a replacement dwelling assigned to them in pursuance of section 62(4) of the Act on Urban Renewal and Urban Development or section 144(6) of the Act on Urban Renewal or section 38(4) of the Act on Urban Renewal and Housing Improvement.

(3) Loans under subsections (1) and (2) cannot be granted

(i) to households receiving payments under section 150 of the Act on Urban Renewal or section 40 of the Act on Urban Renewal and Housing Improvement;

(ii) to owners; or

(iii) to tenants having entered into fixed-term tenancy agreements who do not in pursuance of section 58 of the Act on Urban Renewal and Urban Development or section 142 of the Act on Urban Renewal or section 36 of the Act on Urban Renewal and Housing Improvement receive notice to quit prior to expiry of the agreed tenancy term.

(4) Section 61(2) and (4) shall apply correspondingly.

(5) The loan including any accrued interest shall fall due upon expiry of the tenancy agreement or upon the assignment of the membership of the housing cooperative. The landlord shall pay any amount owing to the borrower to the lender who then settles the account with the borrower.

**60a**(1) For households entitled to removal allowance under section 85b of the Rent Act the local council of the former local authority of residence shall grant loans for the payment of lease premiums, prepaid rent, deposits or shares of private housing cooperatives.

(2) No payment of principal and interest shall be made on such loans. The loans shall fall due for payment upon expiry of the tenancy agreement or upon the assignment of the membership of the housing cooperative. The landlord shall pay any amount owing to the borrower to the lender who then settles the account with the borrower.

**61**(1) Loans granted in pursuance of this Part of the Act shall be paid to the housing organisation.

(2) Where the local council has granted a loan or provided a loan guarantee for the payment of lease premium, the assignment or pledging of the lease premium or any legal action involving the lease premium shall be subject to any amounts owing to the lender in accordance with the loan document.

(3) The loan including any accrued interest shall fall due for payment upon expiry of the tenancy, and, after having received lease premium from a new

tenant, the housing organisation shall pay any amount owing to the borrower to the lender who then settles the account with the borrower.

(4) In the event that a spouse or a household member steps into the tenancy in accordance with the relevant regulation, he/she shall assume the previous tenant's obligations under the tenancy agreement. The obligations of the previous tenant shall not be extinguished.

(5) Where loans are granted for the payment of lease premiums, any maintenance of the flat for which the owner is not responsible, may be assumed by the said owner against an increase of the rent approved by the local authority.

**62** If the tenancy expires prior to repayment of the loan, the amount by which the lease premium paid upon occupation of the flat may have been increased due to indexation pursuant to section 71(3) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc. shall be split between the lender and the borrower in proportion to the original loan and the outstanding instalments paid upon expiry of the tenancy.

**63** The local council may at any time require the borrower to submit information on his/her rent, household and household income.

**64** Payments of principal and interest on loans granted under this Part shall be deemed to be compulsory payments under the tenancy in pursuance of the Rent Act.

#### Part 10a

##### *Assistance for the payment of deposit etc.*

**64a** The provisions of this Part of the Act shall apply to persons to whom the local council has assigned a dwelling in private rental housing, cf. the Act on Local Authorities' Right of Assignment, or in a private housing cooperative, cf. the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc. or the Act on Housing Cooperatives and other Shared Housing Arrangements.

**64b** Pursuant to the provisions of sections 55 and 56(1) loans may be granted upon application for the prepayment of rent, lease premiums, deposits or the like in respect of residential flats assigned in pursuance of the provisions set out in the Act on Local Authorities' Right of Assignment, the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc. or the Act on Housing Cooperatives and other Shared Housing Arrangements. The amounts of such loans cannot exceed six months' rent.

**64c** For persons not complying with the requirements set out in section 64b the local council may grant loans or provide loan guarantees for the payment of lease premiums or prepayments as set out in section 64b above.

**64d**(1) Section 58(1) and (3)-(5) shall apply correspondingly to loans granted under section 64b above.

(2) Sections 61, 63 and 64 hereof shall apply correspondingly to loans granted in pursuance of this Part of the Act.

(3) The Government shall make 100 per cent of the loan funds necessary for loans granted to refugees under section 64b, cf. section 65 hereof, available to the local authority. The Government shall make 50 per cent of the loan funds necessary for loans granted to refugees under section 64c, cf. section 65 hereof, available to the local authority.

#### Part 10b

##### *Assistance for the payment of deposit in unsubsidised sheltered housing*

**64e** Pursuant to the provisions of sections 55 and 56(1) and (2) loans may be granted upon application for the payment of deposit in unsubsidised social sheltered housing, cf. section 143i of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc., or in unsubsidised private sheltered housing; cf. section 1(5) of the Rent Act. The amounts of such loans cannot exceed three months' rent.

**64f** For persons not falling within section 64e above the local council may grant loans or provide loan guarantees for the payment of deposit as referred to in section 64e above.

**64g**(1) Section 58 shall apply correspondingly to loans granted under section 64e above.

(2) Sections 61, 63 and 64 hereof shall apply correspondingly to loans granted pursuant to this Part of the Act.

#### Part 11

##### *Loans for the payment of lease premium etc. for refugees*

**65** The provisions of this Part of the Act shall apply to persons applying for housing benefits not later than three years after having obtained a residence permit pursuant to one of the following provisions:

(i) section 7 or 8 of the Aliens Act;

(ii) section 9b of the Aliens Act;

(iii) section 9c(1) of the Aliens Act immediately following a residence permit issued pursuant to section 9b;

(iv) section 9(1)(i) or (ii) of the Aliens Act due to close ties to a person permanently resident in Denmark to whom a residence permit has been issued pursuant to one of the provisions set out in paragraphs (i)-(iii) or where the close ties can be traced back to such person; or

(v) section 9c(1) of the Aliens Act where the residence permit has been issued to a person over 18 years whose father or mother has been given a residence permit pursuant to one of the provisions set out in paragraph (i);

(vi) section 9c(1) of the Aliens Act where the residence permit has been issued to the spouse or the child of a person holding a residence permit as set out in paragraphs (ii) and (iii);

(vii) section 9c of the Aliens Act where the residence permit has been issued to an alien seeking asylum;

(viii) section 9c(1) of the Aliens Act where the residence permit has been issued due to close ties to a minor asylum-seeking alien who has been issued with a residence permit under section 7 of the Aliens Act or section 9c of the Aliens Act; or

(ix) sections 9c or 9e of the Aliens Act after the alien's application for residence permit has been refused pursuant to section 7 of the Aliens Act.

**66(1)** Pursuant to the provisions of sections 55 and 56 loans may be granted upon application for the payment of lease premiums in properties falling within the scope of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc. and properties belonging to social institutions provided that government subsidies were granted to the construction of the latter properties pursuant to Part 12 of the Act on Housing Construction or any former acts on housing construction; cf. most recently Part 6 of Consolidation Act No. 483 of 16 August 1973.

(2) Loans under section 57 shall be granted to three or more persons who together rent a flat with three or more rooms where at least half of the residents fall within this Part of the Act. Loans shall be granted for the payment of the individual tenant's proportional share of the lease premium.

**67(1)** Pursuant to the provisions of sections 55, 56 and 66 loans shall be granted upon application for the prepayment of rent, lease premiums, deposits or the like in respect of residential flats in housing other than that set out in section 66(1). The amounts of such loans cannot exceed six months' rent.

(2) Subsection (1) shall apply correspondingly to separate rooms not being part of the landlord's flat or of the single or two-family house in which the landlord lives.

**68(1)** For persons not complying with the requirements set out in sections 66 and 67 the local council may grant loans or provide loan guarantees for the payment of lease premiums or prepayments as set out in sections 66 and 67 hereof.

(2) Loans or loan guarantees granted under subsection (1) shall be repaid over a term of 10 years or less. Where warranted by circumstances, the local

council may decide that no payment of principal and interest shall be made on such loans.

**69(1)** Section 58 hereof shall apply correspondingly to loans granted in pursuance of sections 66 and 67 hereof.

(2) Sections 61, 63 and 64 hereof shall apply correspondingly to loans granted in pursuance of this Part of the Act.

**70(1)** Where a person obtains a loan or a loan guarantee under section 67 or obtains a loan or a loan guarantee under section 68 in housing other than that set out in section 66(1) the local council shall upon application grant a guarantee for the fulfilment of contractual obligations vis-à-vis the landlord in respect of renovation upon vacation of the premises. The guarantee in respect of the separate rooms set out in section 67(2) cannot exceed six months' rent. The guarantee shall be granted only for the share of the contractual obligations exceeding the prepayment of rent, lease premium, deposit or the like.

(2) Any outstanding amounts shall be repaid to the local council over a term of five years or less, and the repayment shall be adjusted to the debtor's financial circumstances.

**71** If the owner of a residential flat places such flat at the disposal of the local council for the persons specified in section 65, and the offer is accepted, the local council shall pay rent as from the time when the flat becomes available and until the flat is let out.

## Part 12

### *Amount and adjustment of housing benefits*

**72(1)** The following amounts shall be adjusted once a year in pursuance of subsection (2).

(i) The amount deductible from a child's income of DKK 15,700; cf. section 8(4) hereof.

(ii) The thresholds of DKK 587,500 and DKK 1,175,100 for the adjustment for assets and savings; cf. section 8a(1) hereof.

(iii) The amounts deductible for heating, hot water and electricity expenses of DKK 60.00, DKK 19.00 and DKK 45.25, respectively; cf. section 10(2) hereof.

(iv) The standard water allowance amounts of DKK 10.00 and DKK 14.50; cf. section 10(3) hereof.

(v) The standard maintenance allowance amounts of DKK 45.25 and DKK 22.50; cf. section 10(4) hereof.

(vi) The standard heating allowance amount of DKK 23.00; cf. section 10(5) hereof.

(vii) The maximum annual rent amount of DKK 62,600; cf. section 14 hereof.

(viii) The standard amount for operating and maintenance expenses of DKK 9,000; cf. section 17(1)(iv) hereof.

(ix) The addition to housing costs of DKK 4,700; cf. section 21(1), first sentence.

(x) The progressive threshold pursuant to section 21(1) of DKK 111,600.

(xi) The increase of the income threshold of DKK 29,400 pursuant to section 21(1), second sentence.

(xii) The minimum amount of the annual own share of expenses of DKK 11,800; cf. section 21(2) hereof.

(xiii) The progressive threshold pursuant to section 22(1) of DKK 111,600.

(xiv) The increase of the income threshold of DKK 29,400 pursuant to section 22(1), second sentence.

(xv) The minimum amount of the annual own share of expenses of DKK 18,800; cf. section 22(2) hereof.

(xvi) The maximum amount of the annual housing benefits of DKK 33,036; cf. section 23(1) hereof.

(xvii) The maximum amount of the annual housing costs of DKK 20,800; cf. section 24d(2) hereof.

(xviii) The maximum amount of the annual housing benefits of DKK 11,016; cf. section 24e(3) hereof.

(xix) The minimum amount of rent subsidy and pensioners' rent allowance by way of a grant of DKK 2,424; cf. section 33 hereof.

(xx) The minimum amount of rent subsidy and pensioners' rent allowance by way of a loan of DKK 2,424; cf. section 34 hereof.

(xxi) The maximum income increase of DKK 18,800 giving rise to recalculation or adjustment; cf. section 46(2) and section 47(1) hereof.

(xxii) The minimum amount for repayment of housing benefits of DKK 816; cf. section 47(8) hereof.

(xxiii) The increase of the income threshold of DKK 29,400 pursuant to section 56(1), second sentence.

(2) When pensioners' rent allowance is being calculated, the amounts specified in subsection (1)(i)-(xii) and (xvi)-(xxii) shall be adjusted by 2 per cent plus an adjustment percentage for the fiscal year in question; cf. the Act on Rate Adjustment Percentage. When rent subsidies are being calculated, the amounts specified in subsection (1)(i)-(ix) and (xiii)-(xxii) shall be adjusted by the increase in the annual average of Statistics Denmark's consumer price index calculated two years before the fiscal year in question. When lease premium loans are being calculated, the amount specified in subsection 1(xxiii) shall be adjusted by 2 per cent plus an adjustment percentage for the fiscal year in question; cf. the Act on Rate Adjustment Percentage.

(3) The amounts specified in subsection (1)(i), (ii), (vii)-(xv), (xvii), (xxi) and (xxiii) shall be rounded to the nearest whole amount of DKK divisible by 100. The amounts specified in subsection (1)(xvi), (xviii)-(xx) and (xxii) shall be rounded to the nearest whole amount divisible by 12. The amounts specified in subsection (1)(iii)-(vi) shall be rounded to the nearest decimal amount of Danish oere divisible by 25.

(4) The adjusted amounts are based on the 2003 level.

### Part 13 *Complaints*

**73** Decisions by the local council in respect of rent subsidy, pensioners' rent allowance and loans for the payment of lease premiums, prepaid rent, deposits or shares in private housing cooperatives under sections 55-57, 60a, 64b, 64e, 66 and 67 may be appealed against under the rules of Part 10 of the Consolidation Act on Legal Protection and Administration in Social Matters; but see sections 10(2) and (3), 23(4), 42(2) and 51 hereof.

**74** (Repealed)

### Part 14 *Financing and administration etc.*

**75(1)** The local authority shall pay the expenses pertaining to the administration of the housing benefit regulation. Central government shall reimburse the expenses incurred by the local authority by the following percentages:

(i) rent subsidy, 50 per cent;

(ii) pensioners' rent allowance, 75 per cent; and

(iii) expenses for renovation guarantee and rent pursuant to sections 70 and 71 hereof, 100 per cent.

(2) The Government shall place 75 per cent of the loan funds necessary for rent allowance loans for pensioners at the disposal of the local authorities.

The local authorities shall pay to the Government the interest and instalments received as repayment of such loans. The Government shall place 50 per cent of the loan funds necessary for rent subsidy loans under sections 24g(2), section 31(2) and 32(3) hereof at the disposal of the local authorities. The local authorities shall pay to the Government 50 per cent of the interest and instalments received as repayment of such loans.

(3) The Government shall place 100 per cent of the loan funds necessary for loans under sections 60a, 66 and 67 at the disposal of the local authorities. Expenses for loans and loan guarantees under section 68 shall be made available by half and under sections 56, 56a, 57, 64b and 64e by two thirds.

(4) Where the local authority acquires a dwelling for the purpose of letting it to the persons referred to in section 65 above, the Government shall reimburse 100 per cent of the local authority's current expenses regarding the dwelling from the time when the dwelling is available for letting and until the dwelling has been let. The amount reimbursed shall not exceed the normal rent for usual flats of similar size; cf. section 11(1) above. Where a local authority owns a dwelling and the local council makes a decision to let the dwelling to the persons referred to in section 65 above, the Government shall also reimburse the local authority's current expenses regarding the dwelling from the time when the dwelling is available for letting and until the dwelling has been let.

**75a(1)** The county authority shall reimburse the net expenses incurred by the local authority in respect of housing benefits for persons living in housing for the elderly and social housing for the elderly constructed pursuant to section 5a of the former Act on Housing for Elderly and Disabled Persons, cf. Consolidation Act No. 316 of 24 April 1996, and section 115(4) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.

(2) The net expenses incurred by the local authority of residence in respect of housing benefits for persons living in housing for the elderly and social housing for the elderly shall be reimbursed by the local authority which has agreed to the conversion of a nursing home into the dwellings in question in pursuance of section 5b of the former Act on Housing for Elderly and Disabled Persons or pursuant to section 115(3) of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc.

(3) In the event that a person under section 58a of the Act on Social Housing and Subsidised Dwellings in Private Housing Cooperatives etc. has a dwelling, to which the county authority is entitled to assign residents, assigned to him/her in another local authority area, the county in which the dwelling is situated may require the former county of residence to reimburse its net expenses for housing benefits under subsection (1).

**76** (Repealed)

**77** The Minister for Social Affairs shall lay down rules governing the calculation of the gross floor space of the dwelling, including the extent to which common areas may be included pursuant hereto.

**78** (Repealed)

**79(1)** The Minister for Social Affairs may authorise an agency set up under the Ministry to exercise the powers vested in the Minister by this Act.

(2) The Minister for Social Affairs is authorised to lay down rules governing the right to appeal decisions made pursuant to the authority under subsection (1) above, including that such decision cannot be appealed to the Minister.

**80** (Repealed)

#### Part 15

##### *Commencement and transitional provisions*

**81(1)** The Act shall come into force on 1 January 1993.

(2) The Act on Individual Housing Benefits, cf. Consolidation Act No. 467 of 1 August 1988, shall be repealed.

(3) Section 19 of the Act on Housing for Elderly and Disabled Persons, cf. Consolidation Act No. 362 of 6 June 1990, shall be repealed.

**82(1)** A pensioner who prior to 1 January 1979 received housing benefits as a member of a private housing cooperative shall upon expiry of his/her membership, cf. section 39 hereof, repay the housing benefits received, provided always that the amount requested to be repaid cannot exceed the value increase of the share of the housing cooperative during the period in which housing benefits were paid. No interest shall be paid on the repayable amount.

(2) The value increase of the share of the housing cooperative shall be calculated on 31 December 1978 on the basis of the increase in the building cost index for the quarter in which payment of rent allowance for the pensioner commenced, until the fourth quarter of 1978.

**82a** The provisions in respect of assistance for the payment of lease premiums granted in pursuance of Parts 11 and 11a of the Act on Individual Housing Benefits in force until 1 January 1993 shall remain in force.

**83** (Repealed)

**84** The income threshold of DKK 135,300 for 1999 pursuant to sections 21(1) and 22(1) shall be reduced to DKK 120,000. The amount of DKK 120,000 is based on the 1998 level and shall be adjusted under section 72(1)(xi) and section 72(2) hereof.

**85** This Act shall not extend to the Faroe Islands and Greenland.

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