

AUSTRALIAN CAPITAL TERRITORY

Housing Assistance Act 1987

APPROVAL

Under section 12 (2) of the *Housing Assistance Act 1987*, I approve the Public Rental Housing Assistance Program made by the Commissioner for Housing by instrument dated 20 September 1989.

Dated this 20th day of September 1989.

ELLNOR JUDITH GRASSBY

Minister for Housing
and Urban Services

PUBLIC RENTAL HOUSING ASSISTANCE PROGRAM

Under subsection 12 (1) of the *Housing Assistance Act 1987*, I make a Housing Assistance Program as follows

Title

1. This program may be cited as the Public Rental Housing Assistance Program.

Principles

2. Schedule 1 to the *Housing Assistance Act 1987* entitled 'Principles for Operation of Housing Assistance Programs' applies to this program.

Object

3. The object of this program is to provide rental accommodation to eligible persons in the Australian Capital Territory who are unable to afford or obtain adequate and appropriate housing.

Definition and Interpretation

4. (1) In this program, unless the contrary intention appears:

'A.C.T. Average Weekly Earnings' means the amount specified as the most recent estimate of average weekly earnings for the Australian Capital Territory under the heading 'all employees' in the most recent quarterly publication of the Australian Bureau of Statistics which specifies average weekly earnings in the States and Territories of Australia;

'applicant' means a person who has made an application for assistance under this program, and includes joint applicants;

'application' means:

- (i) an application for assistance under this program,
- (ii) an application for a transfer to another dwelling;
- (iii) an application for a rent rebate,
- (iv) an application to have a person's name replaced on the Register.

'assets' means the value of all assets owned by the person including those in which the person has a contingent or beneficial interest but does not include the value of

- (a) clothing;
- (b) ordinary person effects,
- (c) ordinary household equipment,
- (d) tools of trade;
- (e) plant and equipment necessary for earning income;
- (f) professional instruments and reference books; and
- (g) one motor vehicle.

'assistance' means assistance under this program by way of the provision of rental accommodation and includes the provision of accommodation by the Commissioner, other than in accordance with

any other program administered by the Commissioner under the *Housing Assistance Act 1987*, on any land:

- (a) which is under the control of the Commissioner by virtue of subsection 16 (1) or 17 (1) of the *Housing Assistance Act 1987*; or
- (b) which is leased from the Commonwealth by the Commissioner;

'Commissioner' means the Commissioner for Housing appointed under the *Housing Assistance Act 1987*;

'eligible applicant' means a person who has applied for, and is eligible for, assistance under this program;

'gross income' means an amount of income prior to deduction of tax or tax instalments;

'immediate family relation', in relation to a person, means a spouse, parent, child, sister or brother;

'income', means all income except:

- (a) a payment under Part X of the Commonwealth *Social Security Act 1947*;
- (b) a payment by way of emergency relief or similar assistance made by the Commonwealth or a State or Territory;
- (c) a payment by way of assistance made by an organisation which is an eligible organisation under Commonwealth *Homeless Persons Assistance Act 1974*;
- (d) a payment made under an insurance or compensation agreement by reason of the loss of or damage to property;
- (e) a payment made under a law of the Commonwealth or the Australian Capital Territory for pharmaceutical, medical, dental or hospital benefits;
- (f) a payment for expenses of hospital, medical or dental treatment made by an organisation registered under a law of the Commonwealth or the Australian Capital Territory regarding the provision of pharmaceutical, medical, dental or hospital benefits;
- (g) a payment made under Part V or Part VI, of the Commonwealth *Veterans Entitlements Act 1986* other than payments made under section 108 or section 109 of that Act.
- (h) any expense incurred in earning that income which would be accepted by the Australian Taxation Office as a legitimate deduction for the purposes of the *Income Tax Assessment Act 1930*.

'independent person' means a person in receipt of a weekly income equal to or greater than the level of unemployment benefit payable per week to an unmarried adult person under the Commonwealth *Social Security Act 1947*;

'officer' means an officer or person performing duties, or exercising powers or functions, under or in relation to this program.

'prescribed authority' means the Commonwealth Department of State responsible for the administration of the *Income Tax Assessment Act 1936*, the *Social Security Act 1947*, the *Migration Act 1958*, or the Australian Federal Police, the Director of Public Prosecutions, the National Crime Authority or a Court of Law.

'Register' means the Register kept in accordance with Clause 7 of the names of eligible applicants;

'rent' means a sum payable periodically, whether designated as rent or otherwise, as consideration for the right to occupy premises, whether with or

without other rights in relation to the occupation of the premises;

'rental period' means:

- (a) in the case of a tenancy agreement from week to week—a period of a week in respect of which one week's rent becomes payable under the tenancy agreement; and
- (b) in the case of a tenancy agreement from fortnight to fortnight—a period of a fortnight in respect of which a fortnight's rent becomes payable under the tenancy agreement;

'tenant' means a person who has entered into a tenancy agreement under Clause 15 of this program and includes joint tenants,

'spouse' includes de facto spouse;

'the Fund' means the Australian Capital Territory Housing Assistance Fund established by the Commonwealth Minister of State for Finance as a Trust Account under section 62A of the *Audit Act 1901*;

- (2) For the purposes of this program, unless the contrary intention appears, the weekly income of a person is the greater of:
 - (a) the person's gross income per week at the date of making an application, and
 - (b) the average gross income per week of the person in the twenty-six week period immediately prior to the date of making an application.
- (3) In this program a reference to 'household' is a reference to the persons who
 - (a) reside together in a dwelling provided as assistance under this program; or
 - (b) are intending to reside together in a dwelling provided as assistance under this program, as the case requires.
- (4) A reference in this program to the spouse of a person must, where the person is living with another person of the opposite sex as the spouse of that person on a bona fide domestic basis although not married to that person be read as including a reference to that other person to the exclusion of the spouse (if any) of the first mentioned person.

Eligibility for assistance

5. (1) A person may apply to the Commissioner for assistance under this program.
- (2) An application must:
 - (a) be in writing, signed by the applicant; and
 - (b) specify:
 - (i) the name, address and age of the applicant;
 - (ii) the applicant's reasons for requiring assistance;
 - (iii) the value of assets owned by the applicant;
 - (iv) the weekly income of the applicant and members of the applicant's household,
 - (v) the place of employment of an applicant;
 - (vi) the applicant's Australian residency status;
 - (vii) the number of independent persons in the applicant's household and the relationship of each such person to the applicant.
- (3) Subject to this program, an applicant is eligible for assistance if:
 - (a) the applicant is lawfully present in Australia

and his or her presence is not subject to any time limit imposed by law;

- (b) the applicant is resident or employed in the Australian Capital Territory;
 - (c) the applicant is 16 years of age or older;
 - (d) the applicant does not have any interest in residential real property in Australia;
 - (e) the applicant has assets not exceeding \$20 000 in value;
 - (f) where the household includes two or more independent persons, each independent person, other than the applicant, is an immediate family relation of the applicant;
 - (g) where the household consists of one person only, that person's weekly income does not exceed 60 per cent of ACT Average Weekly Earnings;
 - (h) where the household consists of one independent person and one other person only—the weekly income of the independent person does not exceed 100 per cent of ACT Average Weekly Earnings;
 - (i) where the household consists of two independent persons only, the combined weekly income of those persons does not exceed 100 per cent of ACT Average Weekly Earnings;
 - (j) where the household consists of more than two persons, the weekly income of the applicant or the combined weekly income of the joint applicants plus 10 per cent of the combined weekly income of all other independent persons in the household is not greater than 100 per cent of ACT Average Weekly Earnings plus 10 per cent of ACT Average Weekly Earnings for each person in the household in excess of two persons.
- (4) Where the applicant is a married person, applicant and spouse must apply as joint applicants.
 - (5) Where a household includes an unmarried applicant and one or more independent persons, two persons in the household must apply as joint applicants and the Commissioner may require that the person in the household with the highest weekly income applies as one of the joint applicants.

Temporary assistance

- 6. (1) Where an applicant is not eligible for assistance the Commissioner may nevertheless offer to provide temporary assistance for a specified period.
- (2) Where temporary assistance has been provided in accordance with subclause (1) the Commissioner may, at the expiration of the specified period, continue to provide temporary assistance for one or more additional specified periods.
- (3) Temporary assistance may be provided under this clause only if the applicant:
 - (a) has recently lost his or her accommodation due to circumstances beyond his or her control and is unable to obtain adequate alternative accommodation;
 - (b) has acquired a lease from the Australian Capital Territory Government of unimproved residential land; and
 - (i) but for paragraph 5 (3) (d), the applicant would be eligible for assistance; and
 - (ii) the applicant intends to construct a residence on that land; or
 - (c) would, but for paragraph 5 (3) (d), be eligible for assistance and the applicant undertakes to dispose of his or her interest in residential real property in Australia within

a period of six months after the date on which the applicant's name is placed on the Register, or within such further time as the Commissioner may allow.

- (4) Where an applicant becomes an eligible applicant while in receipt of temporary assistance under paragraph (3) (c) of this clause, the Commissioner must provide assistance in accordance with the provisions of this program, for an indefinite period

Registration

- 7. (1) The Commissioner must keep a Register of the names of all eligible applicants.
- (2) The names of eligible applicants are to be entered on the Register in the order in which their applications are received by the Commissioner.
- (3) An applicant must notify the Commissioner in writing of any relevant change in the circumstances of the applicant which occurs prior to the allocation of assistance.
- (4) For the purposes of this clause a relevant change in the circumstances of an applicant means:
 - (a) any change in the applicant's address;
 - (b) any absence of the applicant from the ACT for more than one month;
 - (c) the marriage, separation from a spouse or divorce of the applicant or where the applicant is living with a de facto spouse,
 - (d) any change in the household;
 - (e) any change in the circumstances of the applicant by reason of which he or she would not be eligible for assistance; and
 - (f) any other type of change which the Commissioner may specify and of which the applicant has been notified in writing.
- (5) If an eligible applicant whose name has been entered on the Register is absent from the Australian Capital Territory for a period of one month or more, the Commissioner may at his or her discretion suspend the registration of the application for the period of that absence.
- (6) A name removed from the Register under subclause (5) may be returned to the Register in a position equivalent to that which it previously held if the applicant requests the Commissioner to replace his or her name on the Register within twelve months of his or her name being removed from the Register.
- (7) If, by reason of the application of subclause 19 (2) an application is treated as having been withdrawn, the name of the person who had made that application is to be removed from the Register.
- (8) A name removed from the Register under subclause (7) may be returned to the Register in a position equivalent to that which it previously held if the applicant requests the Commissioner to replace his or her name on the Register within six months of his or her name being removed from the Register.
- (9) The Commissioner must remove from the Register the name of any applicant who ceases to be an eligible applicant at any time after the date on which his or her name was placed on the Register.

Allocation of assistance

- 8. (1) On an application under this program and the suitability of the accommodation available, the Commissioner may provide assistance in the form of rental accommodation.
- (2) Subject to the provisions of this program and the suitability of accommodation available, the Commissioner must provide assistance to applicants in the order in which their names appear on the Register.

(3) Rental accommodation provided by way of assistance under this program is to be on land:

(a) which is under the control of the Commissioner under subsection 16 (1) or subsection 17 (1) of the *Housing Assistance Act 1987*; or

(b) which is leased from the Commonwealth or from the Australian Capital Territory by the Commissioner.

(4) Where the Commissioner decides to offer to provide assistance to an applicant, the Commissioner may notify the applicant in writing or orally.

(5) The offer must contain a statement to the effect that the applicant must communicate to the Commissioner before the close of business on the next working day after the offer has been made, his or her acceptance of the offer of assistance.

(6) The Commissioner has a discretion to refuse to grant assistance to an applicant who

(a) owes a debt to the Commissioner or the Commonwealth for rent for residential property in the Australian Capital Territory; or

(b) has breached a term or condition of a tenancy agreement to which the Commissioner or the Commonwealth was a party.

(7) The Commissioner may remove from the Register the name of an applicant who:

(a) fails to communicate his or her acceptance of assistance in accordance with subclause (5); or

(b) refuses an offer of assistance;

(c) fails to respond to written notice under subclause (4).

(8) Where an applicant's name has been removed from the Register in accordance with paragraph (7) (a) or 7 (c) the Commissioner may return that applicant's name to the list in a position equivalent to that which it previously held if:

(a) the applicant was an eligible applicant for the whole of the period in which the applicant's name was removed from the Register; and

(b) the applicant requests the Commissioner to replace his or her name on the Register within six months of his or her name being removed from the Register.

(9) Where an applicant's name has been removed from the Register in accordance with paragraph 7 (b) the Commissioner may return that applicant's name to the Register in a position equivalent to that which it previous held if:

(a) the applicant was an eligible applicant for the whole of the period in which the applicant's name was removed from the Register; and

(b) the applicant requests the Commissioner to replace the applicant's name on the Register within fourteen days from the day on which his or her name was removed from the Register.

Type of accommodation

9. (1) The Commissioner has a discretion to decide the size, type and location of rental accommodation which or she will provide to an applicant by way of assistance.

(2) In exercising his or her discretion the Commissioner must take into consideration:

(a) the availability of different sizes and types of dwellings in various locations;

(b) the accommodation needs of the applicant; and

(c) the expressed preferences of the applicant.

Aged persons' accommodation

10. (1) Notwithstanding the provisions of clause 9 if the applicant:

(a) is old enough to be eligible for an age pension payable under the *Commonwealth Social Security Act 1947*; or

(b) is in receipt of a service pension under the *Commonwealth Veterans' Entitlement Act 1986*

the Commissioner may provide the applicant by way of assistance aged persons' accommodation, provided that:

(c) aged persons' accommodation is available; and

(d) the applicant has consented to accept assistance in the form of aged persons' accommodation.

(2) In this clause 'aged persons' accommodation' means rental accommodation designated aged persons' accommodation by the Commissioner.

Priority assistance

11. (1) An eligible applicant whose name has been entered on the Register may apply to the Commissioner for assistance to be given to the applicant earlier than assistance would have been offered under clause 8 on the ground that the applicant has a special need.

(2) For the purposes of this clause, an applicant has a special need if his or her current accommodation is unsuitable because:

(a) the applicant is in ill-health or has a disability;

(b) the applicant's accommodation is inadequate;

(c) the applicant is suffering severe financial difficulties;

(d) the applicant is living in an environment of domestic violence; or who left his or her recent accommodation because of domestic violence;

(e) the applicant is facing imminent eviction from his or her accommodation; or

(f) the applicant is experiencing some other similar problem.

(3) The Commissioner may refuse to give priority assistance under this clause to the applicant if the applicant has not been resident or employed in the Australian Capital Territory for the six month period immediately preceding the time at which the application for priority assistance is considered by the Commissioner.

Immediate assistance

12. (1) an eligible applicant whose name has been placed upon the Register may apply to the Commissioner for immediate assistance if:

(a) the applicant cannot otherwise obtain adequate accommodation; and

(b) the applicant has a special need for assistance.

(2) For the purposes of this clause, an applicant has a special need if his or her current accommodation is unsuitable because:

(a) the applicant's accommodation is extremely inadequate;

(b) the applicant is unable to pay the cost of the accommodation occupied by the applicant;

- (c) the applicant has lost his or her accommodation due to circumstances beyond the applicant's control; or
 - (d) the health of the applicant is being detrimentally affected, or is likely to be detrimentally affected by the nature or condition of his or her accommodation.
- (3) The Commissioner may refuse to give immediate assistance if the applicant has not been resident or employed in the Australian Capital Territory for the six month period immediately preceding the time at which his or her application for immediate assistance is considered by the Commissioner.

Refugees

13. (1) For the purpose of this clause, 'refugee' means a person determined, by a person having authority under the Commonwealth *Migration Act 1958* to do so, to have the status of refugee.
- (2) An eligible applicant may apply to the Commissioner for immediate temporary assistance if the applicant and each person who is a member of the household is a refugee.
- (3) An applicant who has been given temporary assistance under this clause may remain in the accommodation provided until assistance is given to him or her under clause 8 if, during that period:
- (a) the applicant and each person who is a member of the household is a refugee; and
 - (b) the applicant is an eligible applicant.
- (4) The Commissioner may, after consultation with the Secretary to the Commonwealth Department of State responsible for the administration of the *Migration Act 1958*, or with an officer of that department appropriately authorised by the Secretary to that department, designate a maximum number of properties which are available for the provision of immediate assistance under this clause.
- (5) Where a person who has been given temporary assistance under this clause is subsequently given assistance under clause 8, the Commissioner may transfer the person to other accommodation under the control of the Commissioner, provided that written notice of the transfer has been served on the person not less than fourteen days prior to the date of transfer.

Hardship

14. (1) The Commissioner has a discretion to give assistance to applicants not eligible for assistance under this program but who are suffering hardship which cannot be alleviated by any other means.
- (2) Where assistance is to be given to an applicant under this clause and the Commissioner considers it appropriate to do so the applicant's name may be placed on the Register as if the applicant was eligible for assistance and assistance offered to the applicant in accordance with the provision of clause 8.
- (3) Assistance is to be provided under this clause only if to do so is in accordance with the objects of this program and in the form or forms which it would have been provided to the applicant if the applicant was eligible for assistance.

Tenancy agreement

15. (1) When an applicant has accepted assistance offered by the Commissioner the applicant must, prior to occupying the accommodation enter into a tenancy agreement with the Commissioner.
- (2) If a person who has been given assistance and is occupying a dwelling under the control of the Commissioner transfers to another dwelling under the control of the Commissioner, that person must en-

ter into a tenancy agreement with the Commissioner in respect of the other dwelling prior to occupying it.

Rent

16. (1) The amount of rent payable in respect of accommodation provided by way of assistance under this program is to be determined by the Commissioner in accordance with the provisions of section 15 of the *Housing Assistance Act 1987* and the formula set out in Schedule 2 to that Act.
- (2) When, following a review conducted in accordance with subsection 15 (3) of the *Housing Assistance Act 1987*, the Commissioner determines that the amount of rent payable is different from the amount of rent payable prior to the review the Commissioner must notify in writing each person who is a tenant of a dwelling affected by that determination.
- (3) A notice given under subclause (2) must specify:
- (a) the amount of rent payable as a result of the determination; and
 - (b) the date on which the determination takes effect.
- (4) Where the rent is to be increased the date specified in accordance with paragraph (3) (b) must not be less than sixty days after the day on which the Commissioner has made the determination.
- (5) Where the rent is decreased, the date specified in accordance with paragraph (3) (b) is the date of the determination.
- (6) Where a notice under subclause (2) has been served on a person the amount of rent payable specified by the notice is deemed to be the amount of rent payable under the tenancy agreement between that person and the Commissioner from the commencement of the first rent period which commences on or after the date specified in paragraph (3) (b).
- (7) Rent payable under this program is payable to the Fund.

Rent rebate

17. (1) A tenant may apply to the Commissioner for a rebate of rent in respect of one dwelling only provided to the tenant as assistance under this program.
- (2) Subject to the provisions of this clause the Commissioner must grant a rebate of rent if the weekly rent payable by the tenant under clause 16 is more than the basic rent.
- (3) In this clause the 'basic rent' means the sum of
- (a) twenty per cent of the weekly income of the tenant, other than Family Allowance Supplement paid under Part IX of the Commonwealth *Social Security Act 1947*;
 - (b) ten per cent of Family Allowance Supplement paid under Part IX of the Commonwealth *Social Security Act 1947* to the tenant;
 - (c) ten per cent of the weekly income of any independent person in the household other than the tenant; and
 - (d) charges for hot water, space heating or special garage facilities supplied by the Commissioner and specified by him or her to form part of the basic rent
- (4) The Commissioner may at any time review the eligibility of a tenant for rent rebate.
- (5) In this Clause:
- (a) 'tenant' means a person who is a tenant of a dwelling provided as assistance under this program; and

- (b) a reference to 'tenant' includes a reference to joint tenants.

Transfers

18. (1) The Commissioner may transfer a person occupying a dwelling provided under this program to another dwelling under the control of the Commissioner.
- (2) The Commissioner must not transfer a person under subclause (1) unless:
- (a) the person is eligible for assistance under this program and has applied to the Commissioner for a transfer, but not if the person is transferred to accommodation of a smaller size than he or she presently occupies;
 - (b) the Commissioner believes on reasonable grounds that the condition of the dwelling occupied by the person is likely to cause serious harm to the health and safety of the tenants or the public;
 - (c) there has been a breach of the tenancy agreement entered into by the person under subclause 15 (1), and, due to deterioration of marriage or family relationships; the Commissioner believes on reasonable grounds that the dwelling occupied by the person is in excess of his or her needs;
 - (d) the Commissioner believes on reasonable grounds that the person should be transferred in the interests of community harmony; or
 - (e) it has been decided to dispose of or develop the premises occupied by the person.
- (3) Where the Commissioner makes a decision to transfer a person under subclause (1), written notice must be served on the person not less than fourteen days prior to the date of the transfer.
- (4) Subclause (3) does not apply where the Commissioner makes a decision to transfer a person because the dwelling has become uninhabitable.
- (5) In determining whether to approve an application for a transfer the Commissioner must have regard to:
- (a) the availability of suitable accommodation under the control of the Commissioner; and
 - (b) the reasons stated in the application.

Further information

19. (1) The Commissioner may at any time in writing request an applicant to provide further information in connection with an application.
- (2) If such information is not provided within twenty-eight days or such further time as the Commissioner allows, the application is to be treated as having been withdrawn by the applicant.

Notice of decision

20. (1) Where the Commissioner makes a decision:
- (a) upon an application for assistance under this program;
 - (b) to transfer or refuse to transfer a person to different accommodation;
 - (c) to give, or refuse to give, a rent rebate; or
 - (d) to replace or refuse to replace, an applicant's name on the Register; or
 - (e) to revoke or vary a previous decision of the kind described in paragraphs (1) (a), (1) (b) or (1) (c) or (1) (d)

he or she must, within twenty-eight days after the date of the decision cause notice in writing of the decision to be given to the applicant.

- (2) A notice must include a statement to the effect that the applicant may within twenty-eight days of service of the notice on the applicant lodge an objection in writing with the Commissioner.
21. (1) A person who is dissatisfied with a decision by the Commissioner on an application may lodge with the Commissioner a written objection within twenty-eight days after notice of the decision is served on the person.
- (2) An objection must state fully and in detail the grounds on which it is made.
 - (3) The Commissioner must consider an objection and may either allow or disallow it.
 - (4) The Commissioner must give the objector written notice of his or her decision on an objection.
 - (5) In this clause 'application' includes a decision of the Commissioner to transfer a tenant under subclause 13 (5) and subclauses 18 (2) (c) and 18 (2) (d).
 - (6) A person who is dissatisfied with a new dwelling being offered following a decision by the Commissioner under subclause 18 (2) (e) may lodge an objection in accordance with subclause (1).
22. (1) If the period within which a person may lodge an objection has ended, the person may nevertheless send an objection to the Commissioner with a written application to treat the objection as having been duly lodged.
- (2) An application must state fully and in detail the reasons for the person's failure to lodge the objection within that period.
 - (3) The Commissioner must consider each application and may grant or refuse it.
 - (4) The Commissioner must give the applicant written notice of his or her decision on an application.
 - (5) If the Commissioner grants an application, the objection to which the application relates must be treated as having been duly lodged
23. Application may be made to the Administrative Appeals Tribunal for a review of a decision by the Commissioner:
- (a) disallowing an objection; or
 - (b) refusing an application under subclause 22 (1).
24. (1) A notice served on an objection in accordance with subclause 21 (4) or 22 (4) must
- (a) include a statement to the effect that, subject to the *Administrative Appeals Tribunal Act 1989* an application may be made to the Administrative Appeals Tribunal for a review of the decision to which the notice relates; and
 - (b) except where subsection 26 (11) of that Act applies, include a statement to the effect that a person whose interests are affected by the decision may request a statement pursuant to section 26 of that Act.
- (2) The validity of a decision referred to in subclause (1) is not to be taken to be affected by a failure to comply with subclause (1).

Officer to observe secrecy

25. (1) A person shall not, directly or indirectly, except in the performance of his or her duties or in exercise of his or her powers or functions, under this program, or pursuant to the *Freedom of Information Act 1989*, and while he or she is or after he or she ceases to be an officer, make a record of, or divulge or communicate to any persons, any information with respect to the affairs of another person acquired by him or her in the performance of his or her duties, or in the exercise of his or her powers or functions, under this program.

- (2) Notwithstanding anything contained in subclause (1), an officer may.
- (a) divulge any such information to any prescribed authority or person provided such divulgence relates to law enforcement and is connected with the investigation and prosecution of an alleged offence; or
 - (b) divulge any such information to a person who, in the opinion of the Commissioner, is expressly or impliedly authorised by the person to whom the information relates to obtain it.
- (3) An authority or person to whom information is divulged under subclause (2) and any person or employee under the control of that authority or person, shall in respect of that information, be subject to the same rights, privileges obligations and liabilities under this program and had acquired the information in performance of those duties.

Dated this 6th day of September 1989.

TONY RAYMOND WATERS
Acting Commissioner for Housing