

# Housing Assistance (Affordable and Community Housing Providers) Monitoring Guideline 2009 (No 1)

Disallowable instrument DI2009–216

made under the

*Housing Assistance Act 2007*, s 25K (Affordable and community housing providers- monitoring)

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## EXPLANATORY STATEMENT

An ACT regulatory framework for not for profit housing providers was introduced through amendment to the *Housing Assistance Act 2007* (the Act). The regulatory powers are vested in the Commissioner for Social Housing (the Housing Commissioner) as established in the Act. The amendment to the *Housing Assistance Act 2007* commenced on 2 March 2009.

The framework empowers the Housing Commissioner to register, monitor the activities of, intervene in the activities of and de-register housing providers.

The *Housing Assistance Act 2007* (the Act) provides for the Housing Commissioner to determine a process for monitoring the operation of affordable and community housing providers. The determination is a Disallowable Instrument.

Following is a description of the process for monitoring:

Clause	Provision
1 and 2	Name of instrument and commencement date specified.
3	Object of the guideline specified.
4	Specifies the types of entities that must comply with these guidelines.
5	Specifies definitions relating to the guideline.
6	Specifies the ways in which the Housing Commissioner will monitor the entities.
7	Specifies that an entity must notify the Housing Commissioner of any change to its circumstances or intended change to its rules and specifies the actions of the Housing Commissioner on receipt of such notification. States that the Housing Commissioner must not unreasonably refuse to give approval for a change to an organisations rules.

8	Specifies that the Housing Commissioner will, where possible, use information previously submitted by the provider or publicly available but may request further information.
9	Specifies that the Housing Commissioner may consult with a provider regarding any areas of possible non-compliance with the eligibility criteria and may choose to subject the provider's registration to conditions.
10	States that the Housing Commissioner may propose formal intervention in accordance with section 25S.