

Australian Capital Territory

Housing Assistance Public Rental Housing Assistance Program (Review of Entitlement to Housing Assistance) Determination 2020 (No 1)

Notifiable instrument NI2020–658

made under the

Housing Assistance Act 2007 s 20(1) Approved housing assistance programs—determinations

EXPLANATORY STATEMENT

The statutory office of the Commissioner for Social Housing (the “Housing Commissioner”) is established through s.9 of the *Housing Assistance Act 2007*. Section 11 of the Act establishes the Commissioner’s functions including the administration of approved programs for the delivery of housing assistance. Under s.20, the Commissioner can make determinations for approved programs where these are provided for in the program.

Public rental housing assistance is delivered through the *Public Rental Housing Assistance Program 2013*. Clause 6 enables the Commissioner to make determinations for the program.

Clause 29B of the PRHAP enables the Commissioner to periodically review housing assistance provided to tenants, and provides that the Commissioner may withdraw assistance provided (including terminating tenancies) in cases where a tenant’s ‘sustainable household income’ is sufficient for them to access and sustain an alternative tenure.

Clause 1 names the instrument as the *Housing Assistance Public Rental Housing Assistance Program (Review of Entitlement to Housing Assistance) Determination 2020 (No 1)*.

Clause 2 states that the instrument commences on 18 January 2018. This retrospective commencement is non-prejudicial and is necessary to provide formal approval of the sustainable household income threshold determined for the purpose of reviews of entitlement undertaken after that date.

Clause 3 makes a new determination of \$103,582.49 and sets out matters the Commissioner for Social Housing may take into account in assessing the ongoing entitlement of a tenant to receive rental housing assistance.

Clause 4 revokes the current *Housing Assistance Public Rental Housing Assistance Program (Review of entitlement to housing assistance) Determination 2013 (No 1)* [NI2013–533].