

Housing Assistance Public Rental Housing Assistance Program (Community Rental Housing Assistance – Modified Eligibility Criteria) Determination 2010 (No 1)

Notifiable Instrument NI2010- 454

made under the

Housing Assistance Act 2007 s20 (1) Approved housing assistance programs—determinations

1 Name of instrument

This instrument is the Housing Assistance Public Rental Housing Assistance Program (Community Rental Housing Assistance – Modified Eligibility Criteria) Determination 2010 (No 1).

2 Commencement

This instrument commences on 1 September 2010.

3 Determination

In accordance with clause 9 (1B) of the Program I DETERMINE that the eligibility criteria specified in Column 1 do not apply; or apply in addition to; or apply instead of eligibility criteria specified at clause 9(1) to community applicants seeking community rental housing assistance through the housing providers specified in Column 3 opposite the relevant eligibility criteria.

Column One: Eligibility Criteria	Column Two: Explanation of variation	Column Three: Housing Provider
<ul style="list-style-type: none">• At least one applicant in the household is of Aboriginal or Torres Strait Islander descent	<ul style="list-style-type: none">• Additional criterion	<ul style="list-style-type: none">• Billabong Aboriginal Development Corporation
<ul style="list-style-type: none">• Each applicant is at least 18 years of age	<ul style="list-style-type: none">• Modifies clause 9(1)(d)	<ul style="list-style-type: none">• Billabong Aboriginal Development

		Corporation
<ul style="list-style-type: none"> • Each applicant is resident or employed in the Territory 	<ul style="list-style-type: none"> • Modifies clause 9(1)(c) 	<ul style="list-style-type: none"> • Billabong Aboriginal Development Corporation
<ul style="list-style-type: none"> • For a community applicant seeking community rental housing assistance by way of affordable housing, the following modified criteria apply: <ul style="list-style-type: none"> • clause 9(1)(g) - 150% is substituted for 60%; • clause 9(1)(h) – 200% is substituted for 75%; • clause 9(1)(i) – 200% is substituted for 75% and 20% is substituted for 10% (twice occurring); • clause 9(1A) 200% is substituted for 75% and 20% is substituted for 10%. 	<ul style="list-style-type: none"> • Modifies clause 9(1), paragraphs (g) to (i) and clause 9(1A) 	<ul style="list-style-type: none"> • Billabong Aboriginal Development Corporation
<ul style="list-style-type: none"> • Each applicant must have a recognised disability 	<ul style="list-style-type: none"> • Additional criterion 	<ul style="list-style-type: none"> • Capital Community Housing
<ul style="list-style-type: none"> • Each applicant must be at least 18 years of age 	<ul style="list-style-type: none"> • Modifies clause 9(1)(d) 	<ul style="list-style-type: none"> • Capital Community Housing
<ul style="list-style-type: none"> • For applicants who are international students, clause 9(1)(b) does not apply 	<ul style="list-style-type: none"> • Removes clause 9(1)(b) 	<ul style="list-style-type: none"> • Havelock Housing Association
<ul style="list-style-type: none"> • For applicants who are international students the requirement of clause 	<ul style="list-style-type: none"> • Modifies clause 9(1)(c) 	<ul style="list-style-type: none"> • Havelock Housing Association

<p>9(1)(c), concerning six month residency in the ACT before the assessment date does not apply.</p>		
<ul style="list-style-type: none"> • For a community applicant seeking community rental housing assistance by way of affordable housing, the following modifications apply: • Clause 9(1)(g) - 150% is substituted for 60%; • Clause 9(1)(h) – 200% is substituted for 75%; • Clause 9(1)(i) – 200% is substituted for 75% and 20% is substituted for 10% (twice occurring); • Clause 9(1A) – 200% is substituted for 75% and 20% is substituted for 10% 	<ul style="list-style-type: none"> • Modifies clause 9(1), paragraphs (g) to (i) and clause 9(1A) 	<ul style="list-style-type: none"> • Havelock Housing Association
<ul style="list-style-type: none"> • For a community applicant seeking community rental housing assistance by way of affordable housing, the following modifications apply: • Clause 9(1)(g) - 150% is substituted for 60%; • Clause 9(1)(h) – 200% is substituted for 75%; • Clause 9(1)(i) – 200% is substituted for 75% and 20% is substituted for 10% 	<ul style="list-style-type: none"> • Modifies clause 9(1), paragraphs (g) to (i) and clause 9(1A) 	<ul style="list-style-type: none"> • Environmental Collective Housing Organisation

<p>(twice occurring));</p> <ul style="list-style-type: none"> • Clause 9(1A) 200% is substituted for 75% and 10% is substituted for 10%. 		
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Definitions

Applicant of Aboriginal or Torres Strait Islander descent means a person who—

- (a) is a descendent of an Aboriginal person or Torres Strait Islander; and
- (b) identifies as an Aboriginal person or Torres Strait Islander; and
- (c) is accepted as an Aboriginal person or Torres Strait Islander by an Aboriginal or Torres Strait Islander community

Recognised disability (as defined under the former Commonwealth State Territory Disability Agreement (2002 – 2008) means people with disabilities attributable to an intellectual, psychiatric, sensory, physical or neurological impairment or acquired brain injury (or some combination of these) that is likely to be permanent and results in substantially reduced capacity in at least one of the following:

- Self care/management
- Mobility
- Communication

and requiring significant and/or long-term episodic support that manifests itself before the age of 65.

International student means a person who is legally resident in Australia temporarily for the purposes of studying at an ACT tertiary education institution and whose presence in Australia is subject to a time limit imposed by law.

Affordable in relation to ‘affordable housing’ means a dwelling for which the rent is set at a maximum of 74.99% of market rent.

Dated this 6th day August 2010

Martin Hehir
Commissioner for Social Housing