

Housing Assistance Rental Bonds Housing Assistance Program Delegation 2012 (No 1)

Notifiable instrument NI2012—156

made under the

***Housing Assistance Act 2007*, section 17 (Housing commissioner—
delegation)**

1 Name of instrument

This instrument is the *Housing Assistance Rental Bonds Housing Assistance Program Delegation 2012 (No 1)*.

2 Delegations for the Rental Bonds Housing Assistance Program

I delegate my powers under the Program specified in column 1 of the attached Schedule to each person holding or performing the duties of an office in the ACT Public Service specified in column 2 of the Schedule with details of positions shown in the Addendum.

3 Revocation

NI2010- 276 as notified on 3 June 2010 is revoked.

Martin Hehir
Commissioner for Social Housing
Date: 19 March 2012

COLUMN 1 Provision and outline of power	COLUMN 2 Office (details of positions shown on Addendum)
All powers under the Housing Assistance Rental Bonds Housing Assistance Program	Deputy Director-General; Executive Director; Director Housing ACT; Senior Director Asset Management
Clauses 4, 5, 6, 9(2), 11(2) and 18 – determine asset eligibility limit; determine liquid asset eligibility limit, determine assets of a kind which should be disregarded; determine income, or income of a kind, which should be disregarded; determine purposes for which excludable income may be expended; make determinations, issue housing operation guidelines; decide that certain time limits imposed by law are not relevant; approve forms for the program.	Deputy Director-General; Executive Director; Director Housing ACT; Senior Director Asset Management
Clauses 7(1), 7(3) and 7(4) – Provide a bond loan to an eligible applicant and enter into a loan agreement.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 7(7) – Provide assistance by way of a grant of \$100.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 8(2) – require information to be provided in relation to an application.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s; ASO3s; ASO2
Clause 8(3) – determine who are to be considered the applicant or joint applicants.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 9(1) – decide whether an applicant meets the basic eligibility criteria	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 9(3) – decide to disregard any property in which an applicant has an interest.	SOGAs; SOGBs; SOGCs;
Clauses 9(4)(a), (b) and (c) – determine that an applicant is eligible for assistance despite a debt or tenancy breach	SOGAs; SOGBs; SOGCs
Clause 9(4)(d) – determine that applicant is able to pay bond from own resources.	SOGAs; SOGBs; SOGCs
Clause 9(4)(e) - determine that applicant is ineligible because rent and repayments of loan are not affordable.	SOGAs; SOGBs; SOGCs; ASO6s
Clause 9(5) – decide that an applicant is eligible for assistance (despite misleading information, contrived schemes etc)	SOGAs; SOGBs; SOGCs
Clause 9(6) – Decide that an applicant is not ineligible due to failure to enter into a tenancy agreement within the specified time.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s
Clause 10 - Disregard eligibility criteria if the applicant is suffering severe hardship.	SOGAs; SOGBs; SOGCs
Clauses 11(3) and 11(4) - decide a person has earned, derived, received or become entitled to an amount of income, including compensation for income lost or foregone, and deeming particular applicants are receiving amounts equivalent to a relevant pension or benefit.	SOGAs; SOGBs; SOGCs; ASO6s

Clause 12 – disregard current weekly income or average gross weekly income for preceding 26 weeks; decide that a period other than 26 weeks is appropriate.	SOGAs; SOGBs; SOGCs;
Clause 13(3) - Determine that outstanding amounts are not repayable in accordance with the loan agreement.	Director Housing ACT
Clause 13(4) – Where the balance of a rental bond is paid to the housing commissioner, apply all amounts received from the Territory towards repayment of any outstanding amount under the loan agreement; and if the amount exceeds the outstanding balance pay the excess to the applicant.	SOGAs; SOGBs; Financial Controller, Housing & Community Services
Clause 14 - request an applicant to provide further information in relation to an application.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 15(2) – notify an applicant of a decision.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 16(2) – extend the period for a person to seek a review of a decision.	SOGAs; SOGBs; SOGCs
Clause 16(4) – review decision or refer it to an advisory committee and accept, vary or reject their recommendation.	SOGAs; SOGBs; SOGCs; ASO6s
Clause 16(5) – notify an applicant of the decision following review under clause 16(4).	SOGAs; SOGBs; SOGCs; ASO6s

**ADDENDUM TO SCHEDULE
DETAILS OF POSITIONS REFERRED TO IN SCHEDULE**

COMMUNITY SERVICES DIRECTORATE

Deputy Director-General

Housing and Community Services

Executive Director

Director Housing ACT

Senior Director Asset Management

Senior Officer Grade A (SOGA) Asset Management (including Business Development)

All positions at this level

Senior Officer Grade B (SOGB) Asset Management

All positions at this level

Senior Officer Grade A (SOGA) Housing ACT

All positions at this level

Senior Officer Grade B (SOGB) Financial Controller, Housing and Community Services

Senior Officer Grade B (SOGB) Housing ACT

All positions at this level

Senior Officer Grade C (SOGC) Housing ACT

All positions at this level

Administrative Services Officer Class 6 (ASO6) Housing ACT

All positions at this level

Administrative Services Officer Class 5 (ASO5) Housing ACT

All positions at this level

Administrative Services Officer Class 4 (ASO4) Housing ACT

All positions at this level

Administrative Services Officer Class 3 (ASO3) Housing ACT

All positions at this level

Administrative Services Officer Class 2 (ASO2) Housing ACT

All positions at this level