

Housing Assistance Rental Bonds Housing Assistance Program (Individuals in a group situation) Operation Guideline 2012 (No 1)

Notifiable Instrument NI2012- 260

made under the

Housing Assistance Act 2007 s21(1) Approved housing assistance programs—housing operation guidelines

1 Name of instrument

This instrument is the *Housing Assistance Rental Bonds Housing Assistance Program (Individuals in a group situation) Operation Guideline 2012 (No 1)*.

2 Commencement

This instrument commences on the day after notification.

3 Revocation

I REVOKE housing operation guideline N12008 – 181 notified on 22 May 2008

4 Operation Guideline

In accordance with section 21(1) of the *Housing Assistance Act 2007* I issue this housing operation guideline for the *Housing Assistance Rental Bonds Housing Assistance Program 2010* ("the Program").

Purpose

To provide guidance on the procedure to be adopted where a group of applicants apply for a rental bond loan for a property for which they have each entered into a tenancy agreement as joint tenants.

Relevant provisions of the Program

Clause 4 – Interpretation

1. The definition of 'household' specifies:

household unless the housing commissioner decides otherwise, means the persons who reside or intend to reside together in a dwelling to which the application relates.

Clause 7 – Rental bond assistance

2. Subclause 7(7) specifies:

Where the applicant receives rental bond assistance the housing commissioner may also provide the applicant with a non-repayable grant of \$100 to assist with the cost of establishing a new tenancy.

Clause 9 – Eligibility criteria for rental bond assistance

3. Amongst other criteria, an applicant is eligible for rental bond assistance if:
- *the applicant has entered into or proposes to enter into a tenancy agreement for a dwelling in the Territory;*
 - *each applicant intends to reside on a full-time basis in the dwelling; and*
 - *the terms of the tenancy agreement require the applicant to pay a rental bond in accordance with the Residential Tenancies Act 1997.*

Assessment

4. Where a group of unrelated applicants apply for one bond loan, each individual within the group is treated as a separate household and is assessed individually. It will be their individual eligibility that will determine whether they are granted assistance under the Program.

This means that each individual in a group will be granted assistance by way of an amount of loan in proportion to, and by reference to, the number of applicants in the group. For example, if four individuals apply for assistance as a group and the required rental bond for the dwelling is \$1 000, each individual would be entitled to a maximum loan of \$225 (90% of the amount of the bond loan divided by the number of applicants).

Additionally, where a bond loan is granted, each individual eligible applicant would be eligible to receive a non-repayable grant of \$100 under clause 7(7).

Applications

5. Each individual will be required to lodge a separate application for assistance and each individual must sign a separate Bond Loan Agreement for their share of the bond assistance.

General provisions

Further information

6. If the applicant provides additional information which may further establish their need to be considered as an eligible applicant, the application can be reassessed.

False or misleading information

7. Under the Program an applicant is not eligible for assistance if the application is false or misleading in any material way or if an applicant has arranged his or her financial affairs to obtain assistance under the Program.

Review

8. A decision in relation to:
 - (a) an application for rental bond assistance; or
 - (b) revoking or amending a decision mentioned in paragraph (a)

is a reviewable decision in terms of clause 15 of the Program.

9. *Any reference to "Housing ACT" in an operation guideline is a reference to Housing ACT being a section of the Community Services Directorate representing the housing commissioner.*

Dated this 16th day of May 2012

Natalie Howson
Commissioner for Social Housing