

Australian Capital Territory

# Housing Assistance Rental Bond Program Delegation 2022 (No 1)

Notifiable instrument NI2022–44

made under the

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

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## 1 Name of instrument

This instrument is the *Housing Assistance Rental Bond Program Delegation 2022 (No 1)*.

## 2 Commencement

This instrument commences on the day after it is signed.

## 3 Delegation for the Rental Bond Program 2018

I delegate my functions under the *Housing Assistance Rental Bond Program 2018 (No 1)* as approved in DI2018–270 which are specified in columns 1 and 2 of the attached schedule to each person holding or performing the duties of an office in the ACT Public Service specified in column 3 and 4 of the schedule.

## 4 Revocation

This instrument revokes the *Housing Assistance Rental Bond Program Delegation 2018 (No 1)* NI2018–629.

Catherine Rule  
Commissioner for Social Housing  
14 February 2022

## Schedule

### Housing Assistance Rental Bond Program Delegation 2022 (No 1) made under the *Housing Assistance Act 2007*

| Column 1 | Column 2  | Column 3  | Column 4  |
|----------|---|---|---|
| Clause   | Function  | Position description  | Business unit   |
| Program  | All functions and powers of the Commissioner for Social Housing   | Deputy Director-General<br><br>Executive Group Manager  | Community Services Directorate (CSD)<br><br>Housing ACT, CSD  |
| Program  | All functions and powers of the Commissioner for Social Housing except: <ul style="list-style-type: none"> <li>➤ the power to determine the asset eligibility limit (clause 4(a))</li> <li>➤ to issue operation guidelines (clause 5) and</li> <li>➤ to determine that all outstanding amounts under the rental bond agreement are not repayable in accordance with the agreement for applicants following the permanent vacating of a residence (clause 13(3)).</li> </ul> | Executive Branch Manager<br><br>Executive Branch Manager<br><br>Executive Branch Manager  | Policy and Business Transformation, Housing ACT, CSD<br><br>Client Services, Housing ACT, CSD<br><br>Infrastructure and Contracts, Housing ACT, CSD |
| 6(1)     | Provide an amount to the Territory entity responsible for holding a rental bond up to the value of the rental bond sought by the lessor   | Senior Officer Grade A (SOGA)<br><br>Senior Officer Grade B (SOGB)<br><br>Senior Officer Grade C (SOGC)<br><br>Administrative Services Officer Class 6 (ASO6) | Client Services, Housing ACT, CSD<br><br>Finance, Infrastructure and Contracts, Housing ACT, CSD  |

## Schedule

Housing Assistance Rental Bond Program Delegation 2022 (No 1)  
made under the *Housing Assistance Act 2007*

| <b>Column 1</b> | <b>Column 2</b>  | <b>Column 3</b>                                | <b>Column 4</b>                                     |
|-----------------|--|--|---|
| Clause          | Function   | Position description                           | Business unit                                       |
|                 |  | Administrative Services Officer Class 5 (ASO5) |   |
|                 |  | Administrative Services Officer Class 4 (ASO4) |   |
| 6(3)            | Enter into an agreement with the applicant for repayment of the amount provided under 6(1) | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD                   |
|                 |  | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD |
|                 |  | Senior Officer Grade C (SOGC)                  |   |
|                 |  | Administrative Services Officer Class 6 (ASO6) |   |
|                 |  | Administrative Services Officer Class 5 (ASO5) |   |
|                 |  | Administrative Services Officer Class 4 (ASO4) |   |
| 8(1)            | Receive an application for rental bond assistance under the program on an approved form.   | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD                   |
|                 |  | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD |

## Schedule

### Housing Assistance Rental Bond Program Delegation 2022 (No 1) made under the *Housing Assistance Act 2007*

| Column 1         | Column 2  | Column 3   | Column 4  |
|------------------|---|--|---|
| Clause           | Function  | Position description   | Business unit                                       |
| 8(2), 8(3)       | Determine: <ul style="list-style-type: none"> <li>➤ the information that is reasonably required in a rental bond program application, and</li> <li>➤ if two or more people seek rental bond assistance as a household in respect of the same residence be considered as single or joint applicant.</li> </ul> | Senior Officer Grade A (SOGA)  | Client Services, Housing ACT, CSD                   |
|                  |   | Senior Officer Grade B (SOGB)<br><br>Senior Officer Grade C (SOGC)<br><br>Administrative Services Officer Class 6 (ASO6)<br><br>Administrative Services Officer Class 5 (ASO5)<br><br>Administrative Services Officer Class 4 (ASO4) | Gateway Services, Client Services, Housing ACT, CSD |
| 8(4)(a), 8(4)(b) | Determine the length of time an application will remain valid, and determine whether it will be reinstated  | Senior Officer Grade A (SOGA)  | Client Services, Housing ACT, CSD                   |
|                  |   | Senior Officer Grade B (SOGB)<br><br>Senior Officer Grade C (SOGC)<br><br>Administrative Services Officer Class 6 (ASO6)   | Gateway Services, Client Services, Housing ACT, CSD |

## Schedule

Housing Assistance Rental Bond Program Delegation 2022 (No 1)  
made under the *Housing Assistance Act 2007*

| Column 1            | Column 2  | Column 3                                       | Column 4  |
|---------------------|---|--|---|
| Clause              | Function  | Position description                           | Business unit   |
| 9(1)                | Determine that an applicant satisfies the eligibility criteria for rental bond assistance   | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD                       |
|                     |   | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD     |
|                     |   | Senior Officer Grade C (SOGC)                  |   |
|                     |   | Administrative Services Officer Class 6 (ASO6) |   |
|                     |   | Administrative Services Officer Class 5 (ASO5) |   |
| 9(2)(a),<br>9(2)(b) | Determine that an applicant is eligible for assistance despite owing a debt under this program; or being unable to meet the schedule of repayments. | Administrative Services Officer Class 4 (ASO4) |   |
|                     |   | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD                       |
|                     |   |  | Finance, Infrastructure and Contracts, Housing ACT, CSD |
|                     |   | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD     |
|                     |   | Senior Officer Grade C (SOGC)                  | Finance, Infrastructure and Contracts, Housing ACT, CSD |
|                     | Administrative Services Officer Class 6 (ASO6)  |  |   |

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| Column 1 | Column 2  | Column 3                                       | Column 4  |
|----------|---|--|---|
| Clause   | Function  | Position description                           | Business unit                                       |
| 9(3)     | Determine that an applicant is eligible or not for assistance despite providing materially false or misleading information in the application | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD                   |
|          |   | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD |
|          |   | Senior Officer Grade C (SOGC)                  |   |
| 10(1)    | Apply an exemption to eligibility criteria  | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD                   |
|          |   | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD |
|          |   | Senior Officer Grade C (SOGC)                  |   |
|          |   | Administrative Services Officer Class 6 (ASO6) |   |
| 12       | Determine the income of an applicant  | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD                   |
|          |   | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD |
|          |   | Senior Officer Grade C (SOGC)                  |   |
|          |   | Administrative Services Officer Class 6 (ASO6) |   |

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| Column 1 | Column 2   | Column 3                                       | Column 4   |
|----------|--|--|--|
| Clause   | Function   | Position description                           | Business unit  |
|          |  | Administrative Services Officer Class 5 (ASO5) |  |
|          |  | Administrative Services Officer Class 4 (ASO4) |  |
| 13(4)    | Apply all amounts received from the Territory towards repayment of any outstanding amount under the rental bond agreement; repay an amount received which exceeds the outstanding balance to the applicant via electronic funds transfer | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD<br><br>Finance, Infrastructure and Contracts, Housing ACT, CSD                   |
|          |  | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD<br><br>Finance, Infrastructure and Contracts, Housing ACT, CSD |
|          |  | Financial Controller                           | Strategic Finance, Infrastructure and Contracts, Housing ACT, CSD  |
| 14(2)    | Give affected person a written notice about a decision within 28 days  | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD  |
|          |  | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD  |
|          |  | Senior Officer Grade C (SOGC)                  |  |
|          |  | Administrative Services Officer Class 6 (ASO6) |  |

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| Column 1 | Column 2  | Column 3                                       | Column 4  |
|----------|---|--|---|
| Clause   | Function  | Position description                           | Business unit                                       |
|          |   | Administrative Services Officer Class 5 (ASO5) |   |
|          |   | Administrative Services Officer Class 4 (ASO4) |   |
| 15(2)    | Allow extension to the period, to seek review   | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD                   |
|          |   | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD |
|          |   | Senior Officer Grade C (SOGC)                  |   |
|          |   | Administrative Services Officer Class 6 (ASO6) |   |
| 15(4)    | Review the decision or refer it to advisory committee, and accept, vary or reject the recommendation, on receipt of a request | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD                   |
|          |   | Senior Officer Grade B (SOGB)                  | Gateway Services, Client Services, Housing ACT, CSD |
|          |   | Senior Officer Grade C (SOGC)                  |   |
|          |   | Administrative Services Officer Class 6 (ASO6) |   |
| 15(5)    | Give affected person a written notice of the review decision within 28 days   | Senior Officer Grade A (SOGA)                  | Client Services, Housing ACT, CSD                   |



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| <b>Column 1</b> | <b>Column 2</b> | <b>Column 3</b>  | <b>Column 4</b>                                     |
|-----------------|-----------------|--|---|
| Clause          | Function        | Position description   | Business unit                                       |
|                 |                 | Senior Officer Grade B (SOGB)<br><br>Senior Officer Grade C (SOGC)<br><br>Administrative Services Officer Class 6 (ASO6) | Gateway Services, Client Services, Housing ACT, CSD |