

Housing Assistance Rental Bonds Housing Assistance Program (Pre-approval) Operation Guideline 2012 (No 1)

Notifiable Instrument NI2012-258

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 (Pre-approval) Operation Guideline 2012 (No 1)*.

2 Commencement

This instrument commences on the day after notification.

3 Revocation

I REVOKE housing operation guideline N12008 – 183 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 when an applicant seeks pre-approval for a bond loan prior to securing a property to rent.

Relevant provision of the Program

Clause 9 – Eligibility criteria for rental bond assistance

1. Amongst other criteria, subclause 9(1) specifies that an applicant is eligible for rental bond assistance if:

9(1)(k) *the applicant has entered into or proposes to enter into a tenancy agreement for a dwelling in the Territory;*

- 9(1)(l) *each applicant intends to reside on a full-time basis in the dwelling; and*
- 9(1)(m) *the terms of the tenancy agreement require the applicant to pay a rental bond in accordance with the Residential Tenancies Act 1997.*

2. Subclause 9(6) specifies:

Unless the housing commissioner decides otherwise, an applicant is not eligible for rental bond assistance if the applicant has failed to enter into a tenancy agreement in accordance with subclause (1)(k) within 90 days of the application date.

What is pre-approval?

3. Pre-approval is designed to give in-principle confirmation of eligibility for rental bond assistance. Applicants may seek pre-approval for a bond loan even though they have not yet found a suitable property to rent.

However, formal approval and notification of assistance can only occur when the property and tenancy details are provided so that the rental bond can be calculated and final eligibility assessed.

Subsequent application

4. Subsequent applications are to be linked to any prior application for assistance by the applicant/s.

Expiry of pre-approval

5. Unless an extension of time is granted a pre-approval will expire after 90 days from the date of the original application and the applicant will need to reapply and provide fresh details after that time.

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