

AUSTRALIAN CAPITAL TERRITORY

HOUSING ASSISTANCE ORDINANCE 1987

COMMUNITY ORGANISATION RENTAL HOUSING ASSISTANCE PROGRAM

Pursuant to section 12 of the Housing Assistance Ordinance 1987, I, William John Harris, delegate of the Minister of State for the Arts, Sport, the Environment, Tourism and Territories, hereby approve the following Program.

Principles

1. The principles for the operation of a housing assistance program set out in Schedule 1 of the Housing Assistance Ordinance 1987 apply in relation to this Program.

Object

2. The object of this Program is to provide rental accommodation for use by eligible community organisations in the Australian Capital Territory.

Definition & Interpretation

3.(1) In this Program except where the contrary intention appears:

'A.C.T.' means the Australian Capital Territory;

'A.C.T. Housing Assistance Fund' means the Australian Capital Territory Housing Assistance Fund established by the Minister of State for Finance as a Trust Account under section 62A of the Audit Act 1901;

'assistance' means assistance under this Program by way of the provision of rental accommodation and includes the provision of accommodation by the Commissioner, other than in accordance with any other Program administered by the Commissioner under the Housing Assistance Ordinance 1987, on any land:

(a) which is under the Commissioner's control by virtue of subsection 16(1) or 17(1) of the Housing Assistance Ordinance 1987; or

(b) which is leased from the Commonwealth by the Commissioner;

'Commissioner' means the Commissioner for Housing appointed under the Housing Assistance Ordinance 1987;

'community organisation' means an organisation:

- (a) which has lodged, or intends to lodge, an application for assistance; or
- (b) which is in receipt of assistance;

'eligible for assistance' means eligible for assistance within the meaning of clause 4;

'Public Rental Housing Assistance Program' means the Program of that title, including any approved variation thereof, most recently approved pursuant to section 12 of the Housing Assistance Ordinance 1987;

'rent' means a sum payable periodically, whether designated as rent or otherwise, as consideration for the right to occupy premises, whether with or without other rights in relation to the occupation of the premises.

(2) Except to the extent that such interpretation is excluded by or is inconsistent with the context, in this Program words importing the singular number or the plural number include the plural number and singular respectively.

#### Eligibility for Assistance

4. Subject to this Program, where an application for assistance is made by a community organisation, that organisation shall be eligible for the allocation and the continuing provision of assistance if:

- (a) the organisation is a body incorporated pursuant to a law of a State or Territory of Australia;
- (b) the organisation carries on its activities on a non-profit basis;
- (c) the organisation has appropriate financial and administrative resources;
- (d) the organisation has an appropriate system of management; and
- (e) the service that the organisation proposes to provide from the assistance to be allocated:
  - (i) involves the provision of residential facilities to people who in the main would otherwise be eligible for rental housing assistance under the Housing Assistance Ordinance 1987; and
  - (ii) is not already adequately catered for in the A.C.T.

## **Allocation of Assistance**

5.(1) Subject to this clause and clause 6, the Commissioner shall allocate assistance to community organisations, as it becomes available, in the order that the organisations are approved as eligible for assistance.

(2) The Commissioner may designate a maximum number of properties which are available as assistance under this Program

(3) Where, upon notification of an allocation of assistance by the Commissioner, a community organisation either fails to contact the Commissioner within 14 days of that notification or refuses to accept the offer of assistance, the application of that organisation may be cancelled.

## **Form of Assistance**

6. The Commissioner may determine the size, type and location of the accommodation allocated as assistance to a community organisation, having regard to, amongst the other circumstances of the particular case:

- (a) the availability of different sizes, types and locations of accommodation;
- (b) the accommodation needs of the organisation; and
- (c) the expressed preferences of the organisation.

## **Tenancy Agreement**

7.(1) Prior to the grant of assistance to a community organisation, the organisation shall enter into a tenancy agreement in the form required by the Commissioner.

(2) The Commonwealth of Australia may exercise any of the rights conferred upon the Commissioner in relation to the terms of a tenancy agreement referred to in subclause (1).

## **Rent Payable**

8.(1) The level of rent payable in respect of the accommodation provided as assistance in each case shall be determined in accordance with clauses 16 and 17 of the Public Rental Housing Assistance Program as if the accommodation was provided as assistance under that Program.

(2) Rent payable in respect of assistance is payable to the A.C.T. Housing Assistance Fund.

## **Form of Applications**

9. Where an application is made under this Program that application shall be made in writing in accordance with a form approved by the Commissioner and shall include such information, relating to the application, as the Commissioner may require.

### Additional Information

10. A community organisation shall provide any additional information, relating to the provision of assistance to the organisation, that the Commissioner may request from time to time.

### Notification of Decisions

12. Where this Program requires that notice of a decision of the Commissioner be served, that notice shall be in writing and shall be served by:

- (a) delivering the notice personally to an officer or employee of the organisation; or
- (b) posting the notice to the address of the organisation last known to the Commissioner.

Dated this 16th day of December 1987

W J Harris  
Delegate of the Minister for  
the Arts, Sport, the Environment,  
Tourism and Territories