

Housing Assistance Public Rental Housing Assistance Program (Assessment date) Operation Guideline 2008 (No 1)

Notifiable Instrument NI2008- 169

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 Public Rental Housing Assistance Program (Assessment date) Operation Guideline 2008 (No 1)*.

2 Commencement

This instrument commences on the day after its notification.

3 Housing Operation Guideline

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

Purpose

To provide guidance on the meaning of "assessment date".

Relevant provision of the Program

Clause 4 – Interpretation

1. Clause 4 of the Program specifies that:

assessment date means the date of receipt of an application for assistance by the housing commissioner and/or any other date notified in writing by the housing commissioner to the applicant (as applicable).

Relevance to the Program

2. This definition has particular relevance to the following clauses of the Program:
 - (a) clause 12 – working out weekly income;
 - (b) clause 14 – reassessment of eligibility and needs category;
and
 - (c) clause 26 – rent rebate-reassessment of eligibility.

When would the assessment date be different from the application date

3. In many cases the assessment date is simply the date of receipt of an application for assistance. However, where a person's eligibility for rental housing assistance or a rent rebate is to be reassessed, the assessment date would be another date; for example:
 - (i) the date the tenant is notified in writing (i.e. the date of the letter); or
 - (ii) some other date specified in the letter.

Notification in writing

4. Where the assessment date is a date other than the application date, the applicant must be notified in writing of the relevant assessment date, e.g. where an existing rent rebate is being reassessed.

General provisions

Further information

5. 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

6. 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

7. A decision arising from clauses 4, 12, 14 or 26 of the Program is a reviewable decision in terms of clause 30 of the Program.

8. *Any reference to "Housing ACT" in an operation guideline is a reference to Housing ACT being a section of the Department of Disability, Housing and Community Services representing the housing commissioner.*

Dated this 24th day of April 2008

Sandra Lambert
Commissioner for Social Housing