

Australian Capital Territory

Housing Assistance Rental Bonds Housing Assistance Program Delegation 2008 (No 1)

Instrument of Delegation – NI2008-346

made under the

Housing Assistance Act 2007, s 17 (Delegation)

Under Section 17 of the *Housing Assistance Act 2007* (the Act) I revoke all previous delegations under the Housing Assistance Rental Bonds Housing Assistance Program (the 'Program') and I delegate those of my powers under the Program specified in column 1 of the attached Schedule to each person holding or performing the duties of an office in the ACT Public Service specified in column 2 of the Schedule and which position number is stated in the Addendum.

Sandra Lambert
Commissioner for Social Housing

Date: 17 August 2008

COLUMN 1 Provision and outline of power	COLUMN 2 Office (Position Numbers shown on Addendum)
All powers under the Rental Bonds Housing Assistance Program	Deputy Chief Executive; Executive Director; Director Housing ACT; Director Asset Management
Clauses 4, 5, 6, 9(2), 11(2) and 18 – determine asset eligibility limit; determine liquid asset eligibility limit, determine assets of a kind which should be disregarded; determine income, or income of a kind, which should be disregarded; determine purposes for which excludable income may be expended; make determinations, issue housing operation guidelines; decide that certain time limits imposed by law are not relevant; approve forms for the program.	Deputy Chief Executive; Executive Director; Director Housing ACT; Director Asset Management only
Clauses 7(1), 7(3) and 7(4) – Provide a bond loan to an eligible applicant and enter into a loan agreement.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 7(7) – Provide assistance by way of a grant of \$100.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 8(2) – require information to be provided in relation to an application.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s; ASO3s; ASO2
Clause 8(3) – determine who are to be considered the applicant or joint applicants.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 9(1) – decide whether an applicant meets the basic eligibility criteria	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 9(3) – decide to disregard any property in which an applicant has an interest.	SOGAs; SOGBs; SOGCs; ASO6s
Clauses 9(4)(a), (b) and (c) – determine that an applicant is eligible for assistance despite a debt or tenancy breach	SOGAs; SOGBs; SOGCs
Clause 9(4)(d) – determine that applicant is able to pay bond from own resources.	SOGAs; SOGBs; SOGCs
Clause 9(4)(e) - determine that applicant is ineligible because rent and repayments of loan are not affordable.	SOGAs; SOGBs; SOGCs
Clause 9(5) – decide that an applicant is eligible for assistance (despite misleading information, contrived schemes etc)	SOGAs; SOGBs; SOGCs
Clause 9(6) – Decide an applicant is not eligible due to failure to enter into a tenancy agreement within 28 days.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s
Clause 10 - Disregard eligibility criteria if the applicant is suffering severe hardship.	SOGAs; SOGBs; SOGCs
Clauses 11(3) and 11(4) - decide a person has earned, derived, received or become entitled to an amount of income, including compensation for income lost or foregone, and deeming particular applicants are receiving amounts equivalent to a relevant pension or benefit.	SOGAs; SOGBs; SOGCs; ASO6s

This is page 2 of the Schedule to the Instrument of Delegation for the *Housing Assistance Rental Bonds Housing Assistance Program* under the *Housing Assistance Act 2007* signed by the Commissioner for Social Housing on 17 August 2008

Clause 12 – disregard current weekly income or average gross weekly income for preceding 26 weeks; decide that a period other than 26 weeks is appropriate.	SOGAs; SOGBs; SOGCs; ASO6s
Clause 13(3) - Determine that outstanding amounts are not repayable in accordance with the loan agreement.	Director Housing ACT
Clause 13(4) – Where the balance of a rental bond is paid to the housing commissioner, apply all amounts received from the Territory towards repayment of any outstanding amount under the loan agreement; and if the amount exceeds the outstanding balance pay the excess to the applicant.	SOGAs; SOGBs; Financial Controller, Housing & Community Services
Clause 14 - request an applicant to provide further information in relation to an application.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 15(2) – notify an applicant of a decision.	SOGAs; SOGBs; SOGCs; ASO6s; ASO5s; ASO4s
Clause 16(2) – extend the period for a person to seek a review of a decision.	SOGAs; SOGBs; SOGCs
Clause 16(4) – review decision or refer it to an advisory committee and accept, vary or reject their recommendation.	SOGAs; SOGBs; SOGCs; ASO6s
Clause 16(5) – notify an applicant of the decision following review under clause 16(4).	SOGAs; SOGBs; SOGCs; ASO6s

**ADDENDUM TO SCHEDULE
OFFICES REFERRED TO IN SCHEDULE**

Deputy Chief Executive Position No E00268

Executive Director Position No E00270

Director Housing ACT Position No E00315

Director Asset Management Position No E00434

Senior Officer Grade A (SOGA) Asset Management (including Business Development)

Position Nos: 4077, 7781, 3140

Senior Officer Grade B (SOGB) Asset Management

Position Nos: 7818, 3832, 11710

Senior Officer Grade A (SOGA) Housing ACT

Position No: 12132

Senior Officer Grade B (SOGB) Financial Controller, Housing and Community Services

Position No: 04078

Senior Officer Grade B (SOGB) Housing ACT

Position No: 10583

Senior Officer Grade C (SOGC) Housing ACT

Position Nos: 10588, 10582, 04349, 03107, 10580

Administrative Services Officer Class 6 (ASO6)

Position Nos: 03365, 09046, 03844, 06920, 09048, 07618, 03464, 03846, 10889, 09047, 03108, 11287, 03842, 09865, 12395, 07197, 03108, 03844, 03846, 42249, 05079, 09071

Administrative Services Officer Class 5 (ASO5)

Position Nos: 10787, 09066, 09069, 09068, 09090, 09087, 09081, 43516, 03445, 09088, 09083, 09064, 09065, 09089, 09086, 09075, 09072, 09073, 09235, 11293, 03376, 06921, 11045, 03151, 03831, 09085, 09076, 09060, 09058, 09063, 11040, 09074, 09084, 04288, 09077, 09070, 09080, 09082, 09061, 09059, 09062, 26174, 09236, 09237, 09238, 09239, 09240, 10007, 09269, 10006, 09268, 07749, 07750, 07751, 07752, 07753, 07343, 03150, 09267, 11417, 14076, 14077

Administrative Services Officer Class 4 (ASO4)

Position Nos: 03828, 11306, 10480, 03414, 19895, 09680, 07780, 07769, 07756, 03354, 07757, 07763, 07774, 07767, 07772, 07758, 03414, 03828, 11306

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ADDENDUM TO SCHEDULE (CONTINUED)

Administrative Services Officer Class 3 (ASO3)

Position Nos: 11445, 19898, 03459, 11449, 03431, 08130, 8074, 11942, 11967, 19899, 03458, 03490, 07789, 07800, 07803, 8074, 07806, 12268, 03487

Administrative Services Officer Class 2 (ASO2)

Position No: 12122