

# Housing Assistance Public Rental Housing Assistance Program (Community Rental Housing Assistance – Modified Eligibility Criteria) Determination 2011 (No 1)

Notifiable Instrument NI2011- 362

made under the

**Housing Assistance Act 2007 s20 (1)** Approved housing assistance programs—determinations

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## **1 Name of instrument**

This instrument is the Housing Assistance Public Rental Housing Assistance Program (Community Rental Housing Assistance – Modified Eligibility Criteria) Determination 2011 (No 1).

## **2 Commencement**

This instrument commences on the day after notification.

## **3 Revocation**

Subject to section 20(1) and in accordance with the Program I REVOKE the determination notified on 12 August 2010 (NI2010 – 454)

## **4 Determination**

Subject to section 20(1) and in accordance with clause 9 (1B) of the Program I DETERMINE that the eligibility criteria specified in Column 1 do not apply; or apply in addition to; or apply instead of eligibility criteria specified at clause 9(1) to community applicants seeking community rental housing assistance (of a kind as specified, where applicable) through the housing providers specified in Column 3 opposite the relevant eligibility criteria.

<b>Column One: Eligibility Criteria</b>	<b>Column Two: Explanation of variation</b>	<b>Column Three: Housing Provider</b>
<ul style="list-style-type: none"> <li>At least one applicant in the household is of Aboriginal or Torres Strait Islander descent</li> </ul>	<ul style="list-style-type: none"> <li>Additional criterion</li> </ul>	<ul style="list-style-type: none"> <li>Billabong Aboriginal Development Corporation</li> </ul>
<ul style="list-style-type: none"> <li>Clause 9(1)(d) – 18 is substituted for 16</li> </ul>	<ul style="list-style-type: none"> <li>Modifies clause 9(1)(d)</li> </ul>	<ul style="list-style-type: none"> <li>Billabong Aboriginal Development Corporation</li> </ul>
<ul style="list-style-type: none"> <li>Each applicant is resident or employed in the Territory</li> </ul>	<ul style="list-style-type: none"> <li>Modifies clause 9(1)(c)</li> </ul>	<ul style="list-style-type: none"> <li>Billabong Aboriginal Development Corporation</li> </ul>
<ul style="list-style-type: none"> <li>For a community applicant seeking community rental housing assistance by way of affordable housing, the following modified criteria apply: <ul style="list-style-type: none"> <li>clause 9(1)(g) - 150% is substituted for 60%;</li> <li>clause 9(1)(h) – 200% is substituted for 75%;</li> <li>clause 9(1)(i) – 200% is substituted for 75% and 20% is substituted for 10% (twice occurring);</li> <li>clause 9(1A) - 200% is substituted for 75% and 20% is substituted for 10%</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Modifies clause 9(1), paragraphs (g) to (i) and clause 9(1A)</li> </ul>	<ul style="list-style-type: none"> <li>Billabong Aboriginal Development Corporation</li> </ul>
<ul style="list-style-type: none"> <li>Each applicant must have a recognised disability</li> </ul>	<ul style="list-style-type: none"> <li>Additional criterion</li> </ul>	<ul style="list-style-type: none"> <li>Capital Community Housing</li> </ul>
<ul style="list-style-type: none"> <li>Clause 9(1)(d) – 18 is substituted for 16</li> </ul>	<ul style="list-style-type: none"> <li>Modifies clause 9(1)(d)</li> </ul>	<ul style="list-style-type: none"> <li>Capital Community Housing</li> </ul>

<ul style="list-style-type: none"> <li>For applicants who are students applying for shared housing, clause 9(1)(b) does not apply.</li> </ul>	<ul style="list-style-type: none"> <li>Removes clause 9(1)(b) for students applying for shared housing only</li> </ul>	<ul style="list-style-type: none"> <li>Havelock Housing Association</li> </ul>
<ul style="list-style-type: none"> <li>For applicants who are students applying for shared housing the requirement of clause 9(1)(c) that an applicant has been resident in the Territory for a period of six months immediately before the assessment date does not apply.</li> </ul>	<ul style="list-style-type: none"> <li>Modifies clause 9(1)(c) for students applying for shared housing only</li> </ul>	<ul style="list-style-type: none"> <li>Havelock Housing Association</li> </ul>
<ul style="list-style-type: none"> <li>For a community applicant seeking community rental housing assistance by way of affordable housing, the following modifications apply:</li> <li>Clause 9(1)(g) - 150% is substituted for 60%;</li> <li>Clause 9(1)(h) – 200% is substituted for 75%;</li> <li>Clause 9(1)(i) – 200% is substituted for 75% and 20% is substituted for 10% (twice occurring);</li> <li>Clause 9(1A) – 200% is substituted for 75% and 20% is substituted for 10%</li> </ul>	<ul style="list-style-type: none"> <li>Modifies clause 9(1), paragraphs (g) to (i) and clause 9(1A)</li> </ul>	<ul style="list-style-type: none"> <li>Havelock Housing Association</li> </ul>
<ul style="list-style-type: none"> <li>For applicants who are students applying for shared housing, clause 9(1)(b) does not apply</li> </ul>	<ul style="list-style-type: none"> <li>Removes clause 9(1)(b) for students applying for shared housing only</li> </ul>	<ul style="list-style-type: none"> <li>Environmental Collective Housing Organisation</li> </ul>
<ul style="list-style-type: none"> <li>For applicants who</li> </ul>	<ul style="list-style-type: none"> <li>Modifies clause 9(1)(c)</li> </ul>	<ul style="list-style-type: none"> <li>Environmental</li> </ul>

are students applying for shared housing the requirement of clause 9(1)(c), that an applicant has been resident in the Territory for a period of six months immediately before the assessment date, does not apply	for students applying for shared housing only	Collective Housing Organisation
<ul style="list-style-type: none"> <li>• For a community applicant seeking community rental housing assistance by way of affordable housing, the following modifications apply:</li> <li>• Clause 9(1)(g) - 150% is substituted for 60%;</li> <li>• Clause 9(1)(h) – 200% is substituted for 75%;</li> <li>• Clause 9(1)(i) – 200% is substituted for 75% and 20% is substituted for 10% (twice occurring));</li> <li>• Clause 9(1A) - 200% is substituted for 75% and 20% is substituted for 10%</li> </ul>	<ul style="list-style-type: none"> <li>• Modifies clause 9(1), paragraphs (g) to (i) and clause 9(1A)</li> </ul>	<ul style="list-style-type: none"> <li>• Environmental Collective Housing Organisation</li> </ul>
<ul style="list-style-type: none"> <li>• Clause 9(1)(d) – 55 is substituted for 16</li> </ul>	<ul style="list-style-type: none"> <li>• Modifies clause 9(1)(d)</li> </ul>	<ul style="list-style-type: none"> <li>• Salvation Army</li> </ul>
<ul style="list-style-type: none"> <li>• Clause 9(1)(d) – 55 is substituted for 16</li> </ul>	<ul style="list-style-type: none"> <li>• Modifies clause 9(1)(d)</li> </ul>	<ul style="list-style-type: none"> <li>• Argyle Community Housing</li> </ul>

## Definitions

**Applicant of Aboriginal or Torres Strait Islander descent** means a person who—

- (a) is a descendent of an Aboriginal person or Torres Strait Islander; and
- (b) identifies as an Aboriginal person or Torres Strait Islander; and

- (c) is accepted as an Aboriginal person or Torres Strait Islander by an Aboriginal or Torres Strait Islander community

**Recognised disability** (as defined under the former Commonwealth State Territory Disability Agreement (2002 – 2008) means people with disabilities attributable to an intellectual, psychiatric, sensory, physical or neurological impairment or acquired brain injury (or some combination of these) that is likely to be permanent and results in substantially reduced capacity in at least one of the following:

- Self care/management
- Mobility
- Communication

and requiring significant and/or long-term episodic support that manifests itself before the age of 65.

**Student** means a person who is legally resident in Australia for the purpose of studying at an ACT tertiary education institution. This includes international students whose presence in Australia is subject to a time limit imposed by law.

**Shared Accommodation** means “group share” where tenants have their own room but share facilities like bathroom, toilet, laundry and kitchen with other residents.

**Affordable in relation to ‘affordable housing’** means a dwelling for which the rent is set at a maximum of 74.99% of market rent.

Dated this 29<sup>th</sup> day of June 2011

Martin Hehir  
Commissioner for Social Housing