

Australian Capital Territory

Housing Assistance Rental Bond Program Delegation 2023 (No 1)

Notifiable instrument NI2023–793

made under the

Housing Assistance Act 2007, section 17 (Housing commissioner – delegation)

1 Name of instrument

This instrument is the *Housing Assistance Rental Bond Program Delegation 2023 (No 1)*.

2 Commencement

This instrument commences on the day after it is signed.

3 Delegation for the Rental Bond Program 2018

I delegate my functions under the *Housing Assistance Rental Bond Program 2018 (No 1)* as approved in DI2018–270 which are specified in columns 1 and 2 of the attached schedule to each person holding or performing the duties of an office in the ACT Public Service specified in column 3 and 4 of the schedule.

4 Revocation

This instrument revokes the *Housing Assistance Rental Bond Program Delegation 2021 (No 1)* NI2022–44.

Catherine Rule
Commissioner for Social Housing
30 November 2023

Schedule

Housing Assistance Rental Bond Program Delegation 2023 (No 1) made under the *Housing Assistance Act 2007*

Column 1	Column 2	Column 3	Column 4
Clause	Function	Position level/ position number	Business unit
Program	All functions and powers of the Commissioner for Social Housing	Deputy Director-General Executive Group Manager	Community Services Directorate (CSD) Housing Assistance, CSD
Program	All functions and powers of the Commissioner for Social Housing except: <ul style="list-style-type: none"> ➤ the power to determine the asset eligibility limit (clause 4(a)) ➤ to issue operation guidelines (clause 5) and ➤ to determine that all outstanding amounts under the rental bond agreement are not repayable in accordance with the agreement for applicants following the permanent vacating of a residence (clause 13(3)). 	Executive Branch Manager	Housing and Homelessness Programs, Housing Assistance, CSD Client Services, Housing Assistance, CSD Infrastructure and Contracts, Housing Assistance, CSD
6(1)	Provide an amount to the Territory entity responsible for holding a rental bond up to the value of the rental bond sought by the lessor	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC)	Client Services, Housing Assistance, CSD Finance, Corporate, CSD

Schedule

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made under the *Housing Assistance Act 2007*

Column 1	Column 2	Column 3	Column 4
Clause	Function	Position level/ position number	Business unit
		Administrative Services Officer Class 6 (ASO6) Administrative Services Officer Class 5 (ASO5) Administrative Services Officer Class 4 (ASO4)	
6(3)	Enter into an agreement with the applicant for repayment of the amount provided under 6(1)	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6) Administrative Services Officer Class 5 (ASO5) Administrative Services Officer Class 4 (ASO4)	Client Services, Housing Assistance, CSD Finance, Corporate, CSD

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Housing Assistance Rental Bond Program Delegation 2023 (No 1) made under the *Housing Assistance Act 2007*

Column 1	Column 2	Column 3	Column 4
Clause	Function	Position level/ position number	Business unit
8(1)	Receive an application for rental bond assistance under the program on an approved form.	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB)	Client Services, Housing Assistance, CSD
8(2), 8(3)	Determine: <ul style="list-style-type: none"> ➤ the information that is reasonably required in a rental bond program application, and ➤ if two or more people seek rental bond assistance as a household in respect of the same residence be considered as single or joint applicant. 	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6) Administrative Services Officer Class 5 (ASO5) Administrative Services Officer Class 4 (ASO4)	Client Services, Housing Assistance, CSD
8(4)(a), 8(4)(b)	Determine the length of time an application will remain valid, and determine whether it will be reinstated	Senior Officer Grade A (SOGA)	Client Services, Housing Assistance, CSD

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Column 1	Column 2	Column 3	Column 4
Clause	Function	Position level/ position number	Business unit
		Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6)	
9(1)	Determine that an applicant satisfies the eligibility criteria for rental bond assistance	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6) Administrative Services Officer Class 5 (ASO5) Administrative Services Officer Class 4 (ASO4)	Client Services, Housing Assistance, CSD

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Column 1	Column 2	Column 3	Column 4
Clause	Function	Position level/ position number	Business unit
9(2)(a), 9(2)(b)	Determine that an applicant is eligible for assistance despite owing a debt under this program; or being unable to meet the schedule of repayments.	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6)	Client Services, Housing Assistance, CSD Finance, Corporate, CSD
9(3)	Determine that an applicant is eligible or not for assistance despite providing materially false or misleading information in the application	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6)	Client Services, Housing Assistance, CSD
10(1)	Apply an exemption to eligibility criteria	Senior Officer Grade A (SOGA)	Client Services, Housing Assistance, CSD

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Column 1	Column 2	Column 3	Column 4
Clause	Function	Position level/ position number	Business unit
		Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC)	
12	Determine the income of an applicant	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6) Administrative Services Officer Class 5 (ASO5) Administrative Services Officer Class 4 (ASO4)	Client Services, Housing Assistance, CSD

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Column 1	Column 2	Column 3	Column 4
Clause	Function	Position level/ position number	Business unit
13(4)	Apply all amounts received from the Territory towards repayment of any outstanding amount under the rental bond agreement; repay an amount received which exceeds the outstanding balance to the applicant via electronic funds transfer	Senior Officer Grade A (SOGA)	Client Services, Housing Assistance, CSD Finance, Corporate, CSD
		Senior Officer Grade B (SOGB)	Client Services, Housing Assistance, CSD
		Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6)	Finance, Corporate, CSD
		Senior Officer Grade A (SOGA)	Finance, Corporate, CSD
14(2)	Give affected person a written notice about a decision within 28 days	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6)	Client Services, Housing Assistance, CSD

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Column 1	Column 2	Column 3	Column 4
Clause	Function	Position level/ position number	Business unit
		Administrative Services Officer Class 5 (ASO5) Administrative Services Officer Class 4 (ASO4)	
15(2)	Allow extension to the period, to seek review	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6)	Client Services, Housing Assistance, CSD
15(4)	Review the decision or refer it to advisory committee, and accept, vary or reject the recommendation, on receipt of a request	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6)	Client Services, Housing Assistance, CSD

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Column 1	Column 2	Column 3	Column 4
Clause	Function	Position level/ position number	Business unit
15(5)	Give affected person a written notice of the review decision within 28 days	Senior Officer Grade A (SOGA) Senior Officer Grade B (SOGB) Senior Officer Grade C (SOGC) Administrative Services Officer Class 6 (ASO6)	Client Services, Housing Assistance, CSD