

### APPLICATIONS for HOUSING ASSISTANCE

#### WHAT IS PUBLIC HOUSING AND HOW DO I GET IT?

Public housing is government-owned housing rented to eligible low-income earners and those people who have difficulty finding appropriate accommodation in the private rental market, for example, people with a disability.

Housing ACT is the government authority responsible for managing public housing in the ACT. Housing ACT is headed by the Commissioner for Social Housing. Housing ACT is part of the ACT Department of Disability, Housing and Community Services.

The demand for public housing in the ACT is much higher than the number of homes available. Housing ACT have a policy of giving housing to those 'most in need' and to give people with the greatest needs housing ahead of others whose needs are comparatively less serious. This means that unless you have very exceptional circumstances or you are seeking the type or location of accommodation that is readily available, you may face a lengthy wait to be housed.

To qualify for public housing in the ACT you must lodge an application and supply all the necessary documentation. You must also meet or be exempt from the eligibility criteria (discussed below), both:

- at the time you apply (the registration stage); **and**
- when you get to the top of the waiting list for the offer of a house (the allocation stage).

#### HOW TO APPLY

To apply for public housing you need to lodge the 'Registration to Apply for Public Rental Housing Assistance' form with the Applicant Services Centre of Housing ACT. The form can be obtained from your nearest Canberra Connect Shopfront, the Applicant Services Centre, by telephoning 133 427 or on the internet at [www.dhcs.act.gov.au](http://www.dhcs.act.gov.au). The sooner you lodge your application, the sooner your name can go on the waiting list for a property.

It is important to make sure that all the sections of the application are properly completed and that all the necessary supporting documentation is attached (or will be supplied) to avoid any delays in the processing of the application.

The best way to lodge your application is in person. Housing ACT can see and copy your original proof of identity documents and you reduce the risk of your application being lost. At the same time, you can ask to book an appointment with an assessing officer. An interview gives you the opportunity to talk about your application and your circumstances. Also, if there is any missing information (eg, documents that establish your identity or your income), the

assessing officer will be able to tell you on the spot what is needed.

While processing your application Housing ACT may require further information. You must provide this in a timely manner so that your application is not delayed or rejected.

Many applications to Housing ACT lapse because an outstanding document or other information is not provided to Housing ACT after the initial application and interview. You must provide Housing ACT with all the information they require or make sure you explain why you can't supply a requested item.

#### WHAT HAPPENS TO MY APPLICATION?

If your application is approved you will receive a letter from Housing ACT that tells you:

- Which areas you have selected for housing (eg, Woden and City);
- The number of bedrooms you have been approved for;
- The needs category of your application; and
- The date of effect of your application (normally the date your application was initially registered).

Welfare Rights & Legal Centre  
**Advice Line**  
**6247 2177**



It is important to check this letter carefully and contact Housing ACT immediately if any of the information is incorrect, or if you do not agree with any aspect of the decision that has been made.

The needs category that you have been given is particularly important (see below for more detail). This governs how long you will wait to be housed. If you don't agree with the needs category you have been given you should consider appealing the decision.

You can also appeal if you don't agree with a decision about the number of bedrooms you have been given or the type or location of accommodation you have been approved for. See **The Appeals Process** (WRLC Fact Sheet 9).

After your application has been accepted, you must notify Housing ACT of any changes to your circumstances that may be relevant to your application (eg, contact details, income status, household composition or housing preferences). If Housing ACT can't contact you to offer you a house when you get to the top of the waiting list, you will miss out on getting a property and your name will be removed from the waiting list.

## WHAT IF MY APPLICATION IS REJECTED?

If your application is rejected you will need to appeal the decision within 28 days of receiving the letter telling you of the decision. If your appeal is successful, your application will be effective from the date you initially applied. For more information on the grounds for appealing see below and **The Appeals Process** (WRLC Fact Sheet 9).

## ELIGIBILITY FOR PUBLIC HOUSING

### Eligibility for registration

The Public Rental Housing Assistance Program governs how public

housing works in the ACT and sets out the eligibility criteria. You will be eligible for public housing and placed on the register for assistance (waiting list), if you can satisfy all the eligibility criteria or if you qualify for an exemption.

To be eligible you must:

- Be at least 16 years of age;
- Be a resident in the ACT and have been for a period of six months immediately before applying;
- Meet an income and assets test;
- Be an Australian citizen, an Australian permanent resident, or hold a special category visa (issued to eligible New Zealanders upon entry into Australia), or hold a Temporary Protection Visa; and
- Have no interest in residential real property anywhere in Australia (subject to certain exceptions).

If your application for housing is refused because you don't meet all the eligibility criteria, it is always worth seeking advice on appealing the decision, whether you've been refused on income or residence or anything else (except the minimum age limit).

The important thing is put the case for your application being accepted, rather than simply accepting an initial refusal. In other circumstances where you are suffering severe hardship, which cannot be alleviated in any other way, Housing ACT has a discretion to waive any and all of these eligibility criteria (except for the age limit).

### Eligibility for allocation

When you get to the top of the waiting list, you will be offered a property:

- If you still meet the eligibility criteria; **and**
- Provided you do not owe a debt to Housing ACT, unless the Commissioner decides otherwise; **and/or**

- You have not been in breach of a previous Housing ACT tenancy, unless the Commissioner decides otherwise.

For debt and breaches relating to past tenancies, the Commissioner has a discretion to offer you a property in spite of the debt or the breach. For example, if you did not know you had a debt, but have since been making regular repayments, or you are willing to repay the debt, you may still be eligible to be offered a property. Or if you can reasonably explain why there was a past breach, or that in fact there was no past breach, you may still qualify.

Again, the important thing is to put a case for your application being accepted, or that you should be offered a property even if you have a debt or a past breach, rather than simply accepting an initial refusal.

Even at the allocation stage, if your circumstances have changed and it seems you no longer meet the eligibility criteria, you still can ask Housing ACT to exercise its discretion to house you if you can demonstrate that, relative to the needs of other applicants, you are suffering severe hardship which cannot be alleviated by any means other than the provision of public housing.

## WHICH NEEDS CATEGORY SHOULD I HAVE?

There are three needs categories that have been determined under the Public Rental Housing Assistance Program: Priority, High Needs and Standard. Priority is the fastest category and only granted to people with the greatest needs.

### Priority housing

Applicants must demonstrate that:

- They have a range of complex needs that are exceptional, urgent and/or critical; **and**
- These needs cannot be resolved by any reasonable

means other than the early provision of public housing.

Only people with 'a range of complex needs' and 'significant risk factors' will be placed in this category. Generally, more than one risk factor is required for a person to be considered eligible for Priority Housing. The risk factors include:

- Primary homelessness (eg, sleeping rough, on the streets, in a car or in a shed or other dwelling without services and facilities);
- Secondary homelessness (staying for brief periods with friends or relatives, or in refuge or supported accommodation);
- Families with children;
- Formally diagnosed mental health issues, including the effects of past trauma and torture;
- Other serious and chronic health issues;
- Disability, including frail aged;
- Aboriginal and/or Torres Strait Islander persons, and families having difficulty accessing private rental accommodation and facing complex issues;
- Women with or without children escaping domestic violence; and/or
- Children at risk of abuse or neglect.

To get a place in this category you need very strong evidence of how serious your situation is, preferably from professionals such as doctors, police, mental health workers or domestic violence workers (see below, 'How do I get High Needs or Priority?').

Housing ACT also want to be sure that in spite of all your problems, you have the ability to 'sustain a tenancy'. This means you also need to demonstrate that you have the capacity to pay your rent, to care for your property and to

abide by all the conditions of your tenancy agreement, including that you will not cause nuisance or interference to any neighbours. In some circumstances, Housing ACT will want you to provide them with evidence of the supports you will have in place to help you sustain your tenancy. These could be a mental health worker, financial counselling service, a community agency or specific family support.

No application is ever given Priority status automatically. Only applications that have been approved by Housing ACT's internal Multidisciplinary Panel can be given Priority status. A Housing ACT assessing officer will first decide whether your application should be approved for the Standard or High Needs category. If you are approved for High Needs, the assessing officer will then consider whether your case should be referred to the Multidisciplinary Panel.

If your application is not referred to the Multidisciplinary Panel, you can appeal that decision. If the Multidisciplinary Panel considers your application but refuses to put you in the Priority category, you can appeal that decision. See **The Appeals Process** (WRLC Fact Sheet 9).

### High Needs housing

Applicants must demonstrate that:

- They have significant needs; **and**
- That their needs cannot be resolved by any reasonable means other than the provision of public housing within a reasonable time frame.

Generally, successful applicants in this category will have similar problems to those in the Priority category, but to a lesser degree.

Eligibility for High Needs also specifically includes people who:

- Face extreme affordability problems (usually meaning that at least 50% of household income is spent on rent) or discrimination in the private rental market;
- Require housing suitable for a disability or medical condition that is difficult to obtain in the private rental market; and/or
- Live in overcrowded conditions, placing children at identifiable risk.

As for Priority (above), you will need to supply very strong evidence of your needs.

If you are granted High Needs and after a significant period on the waiting list your circumstances change and your need for housing becomes more urgent, you should reapply to Housing ACT seeking Priority (see above). You will need to lodge a new 'Registration to Apply for Public Rental Housing Assistance' form and supporting documentation.

### Standard housing

Applicants who have incomes within the ACT public housing eligibility criteria 'Income Barrier' and who are facing significant affordability issues in obtaining housing on the private market will be placed in the Standard category.

You can get the latest income eligibility figures by calling the Applicant Services Centre on 133 427 or by visiting the website at [http://www.dhcs.act.gov.au/hcs/policies/fact\\_sheets](http://www.dhcs.act.gov.au/hcs/policies/fact_sheets). 'Income' means your gross income before any tax or deductions are taken out. As a guide, the Income Barrier at February 2008 was:

- Single applicant: \$528 per week
- Two-person household: \$660 per week; and,
- Household of three or more: \$660 per week plus \$88 for the third and each extra household member (eg, a four-person

household would need to earn under \$836 per week).

### What if I earn too much?

Some special rules apply to what constitutes 'income' so if you feel you have special circumstances seek legal advice. Also, Housing ACT have the power to disregard the income barrier and accept your application in circumstances where you are experiencing severe hardship that cannot be alleviated by any reasonable means other than the early provision of public housing.

### What if I can't wait that long?

If your circumstances change while you are on the Standard category waiting list and your need for housing becomes more urgent, you should reapply to Housing ACT seeking High Needs or Priority housing (see above). You will need to lodge a new 'Registration to Apply for Public Rental Housing Assistance' form and supporting documentation.

## HOW DO I GET HIGH NEEDS OR PRIORITY?

You will need to provide strong evidence of your circumstances that clearly show you meet the criteria for High Needs or Priority.

If you are in very difficult circumstances, you may need to get help with gathering this evidence from a family member, support worker or social worker.

Usually, the best way to convince Housing ACT of your situation is by providing letters of support. A letter of support is a letter written by someone who is aware of your circumstances and can write something in support of your application. Housing ACT may ask for letters written by particular professionals, for

example a doctor or social worker. Letters from family and friends can be helpful to describe your circumstances, but reports from professionals generally carry the most weight.

You cannot be required to approach someone for a letter of support — it is always your choice to do so or not. However, if you are seeking an early allocation category, Housing ACT will require strong evidence of your need, and letters of support are an excellent way for you to provide this.

Housing ACT has a standard 'Letter of Support' form which busy people such as doctors, counsellors and teachers should find quick and easy to complete. On the other hand, the form is quite limited, and both professionals and friends or family may prefer to write more fully and more personally in support of your application.

A letter of support that does not use the standard form should include:

- How long the writer has known you and in what capacity (ie, professional, friend, family, etc);
- The writer's knowledge of your circumstances (eg, a doctor might describe a medical condition that makes it difficult for you to climb stairs);
- The writer's opinion as to your housing needs, given your circumstances;
- The writer's opinion as to the likely consequences if your housing needs are not met, or if there is a long delay in meeting your housing needs;
- The writer's opinion as to how your special needs will be addressed or substantially alleviated through the

early allocation of housing assistance;

- The writer's opinion as to your capacity for independent living as well as your ability to sustain a tenancy agreement; and
- The name and contact details (including a daytime telephone number) of the writer if further information is needed.

## HOW LONG WILL I WAIT?

Housing ACT aims to house all applicants in the Priority category within three months, but this cannot always be guaranteed.

Housing ACT do not provide waiting times to applicants in the High Needs and Standard categories. However, as a rough guide, in April 2008 the average waiting times were as follows:

- Priority Housing: 83 days
- High Needs Housing: 375 days
- Standard Housing: 937 days.

The times listed above are purely an average. The waiting times will depend in part on the type and location of accommodation. Some High Needs applicants will be housed much more quickly than the 322 days above. For example, the waiting time for a bedsit in a large complex will be much quicker than for a four-bedroom house in a popular suburb. Much will depend on the availability of the type of accommodation you want in the area you have chosen. For this reason, it's often worth expanding your areas of preference to increase your chances of being housed earlier.

### Disclaimer

This fact sheet contains general information available at the time of printing. It does not constitute legal advice. If you have a specific legal problem, please contact the Welfare Rights and Legal Centre's advice line on 6247 2177. The Welfare Rights and Legal Centre is entirely independent of Housing ACT. All assistance is free.

April 2008