

## Guide to Lodging Application Form First Home Owner Grant Scheme

**NOTE** This guide is for your assistance and should not be lodged with your application. The meaning of words in **bold** is provided in section 1 of this guide and they apply to both the guide and the application form.

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### A TERMS USED

Applicant	A person applying for a grant who, on completion of the <b>eligible transaction</b> , will own or hold a <b>relevant interest</b> in the land on which the <b>home</b> is built. All interested persons must be <b>applicants</b> — an interested person is a person who is, or will be on completion of the <b>eligible transaction</b> , an owner of the <b>home</b> . A <b>shared equity partner</b> is excluded from the requirement to be an <b>applicant</b> to the grant provided that, on completion of the transfer of the property to which the application relates, the <b>shared equity partner</b> will have an interest of 50 per cent or less in the property.
Approved agent	An organisation (including a financial institution) approved by the ACT Revenue Office that processes applications for the grant. An <b>Approved agent</b> is not authorised by the ACT Revenue Office to offer any advice or assistance on the conditions of eligibility for the grant or on the completion of the application for the grant.
Cap	The <b>cap</b> , currently \$750,000, is the maximum <b>total value</b> of the property that is eligible for a grant. The <b>cap</b> does <u>not</u> apply to eligible transactions that commenced before 1 January 2011.
Certified copy	A true copy of an original document that has been sighted and certified by an authorised person* and annotated as follows: 'I certify that I have sighted the original document and this is a true copy of it' or words to that effect. The certification must have the certifier's name, title, registration number (if applicable) and be signed and dated. *An authorised person includes a legal practitioner, justice of the peace, magistrate, notary public, police officer, dentist, veterinary practitioner, pharmacist, certified practising accountant, Member of Parliament, minister of religion, medical practitioner.
Commencement date of eligible transaction	For a contract to purchase or build a <b>home</b> — the date the contract is signed. For an <b>owner builder</b> – the date when the foundations commenced to be laid.
Commissioner	<b>Commissioner</b> for ACT Revenue.
Completion date of eligible transaction	For a contract to purchase a <b>new home</b> or <b>established home</b> — when the purchaser becomes entitled to possession of the home and, if required to obtain registered title to the property, when the necessary steps to obtain registration of the purchaser's title have been taken. For a contract to build or an <b>owner builder</b> – when the building is ready for occupation as a place of residence (generally when a Certificate of Occupancy is issued).
Contract to build	A comprehensive building contract where a builder agrees to build a complete <b>home</b> , from the time the building starts to when it is finished and is ready for occupation, and includes any further contract to complete work not otherwise completed for any reason.
Consideration	The purchase price or cost of construction of the <b>home</b> .
Eligible transaction	A contract to purchase or build a <b>home</b> signed on or after 1 July 2000. For an <b>owner builder</b> – the laying of the foundations on or after 1 July 2000.
Home	A building, affixed to land, that may be lawfully used as a place of residence and that the <b>Commissioner</b> is satisfied is a suitable building for use as a place of residence.
Individual	A natural person i.e. not a company or a trust.
Notifiable event	An event that occurs when any part of the eligibility criteria is not met. <b>Applicants</b> are required by law to notify the <b>Commissioner</b> in writing and repay the grant within 14 days of becoming aware of a <b>notifiable event</b> . Examples: applicant cannot satisfy the residence requirement, or grant has been paid to an owner builder in anticipation the <b>total value</b> will not exceed the <b>cap</b> but the <b>total value</b> when completed, does exceed the <b>cap</b> .

Off the plan purchase agreement	An agreement for the sale or transfer of dutiable property that is, or includes, land where a residence is to be erected or developed before completion of the sale or transfer.
Owner	A person who has a <b>relevant interest</b> in land on which a <b>home</b> is built.
Owner builder	An owner of land who builds a <b>home</b> or has a <b>home</b> built on the land in accordance with a building permit issued in his/her name without entering into a contract to build the home.
Partner	<p>A person is the <b>partner</b> of the <b>applicant</b> if the person is the applicant's domestic partner. A 'domestic partner' is someone who lives with the <b>applicant</b> in a domestic partnership and includes a reference to a spouse of the <b>applicant</b> whether of the same or opposite sex.</p> <p>Example of indicators to decide whether 2 people are in a domestic partnership:</p> <ul style="list-style-type: none"> <li>• the length of their relationship;</li> <li>• whether they are living together;</li> <li>• if they are living together—how long and under what circumstances they have lived together;</li> <li>• whether there is a sexual relationship between them;</li> <li>• the degree of financial dependence or interdependence, and any arrangements for financial support, between or by them;</li> <li>• the ownership, use and acquisition of their property, including any property that they own individually;</li> <li>• their degree of mutual commitment to a shared life;</li> <li>• whether they mutually care for and support children;</li> <li>• the performance of household duties; and/or</li> <li>• the reputation, and public aspects, of the relationship between them.</li> </ul>
Permanent resident	A person who holds a permanent residency visa under s 30 of the <i>Migration Act 1958</i> (Cth) or a New Zealand citizen who holds a special category visa under s 32 of the <i>Migration Act 1958</i> .
Principal place of residence	The <b>home</b> you primarily reside in. The most important characteristic of a <b>principal place of residence</b> is that the person is living in the residence on an ongoing and permanent basis as the person's settled or usual home. When the occupation is transient, temporary or of a passing nature, or the occupation is for some other purpose, this is not sufficient to establish occupation as a <b>principal place of residence</b> .
Related or associated party	<p>A person is <b>related or associated</b> with another party when:</p> <ul style="list-style-type: none"> <li>• one is the <b>partner</b> of the other; or</li> <li>• they are related by blood, marriage or adoption; or</li> <li>• they are a shareholder/director of the other party, being a company; or</li> <li>• they are a beneficiary of a trust for which the other party is a trustee; or</li> <li>• the transaction is otherwise not at arm's length.</li> </ul>
Relevant interest	A person with a <b>relevant interest</b> may be described as the person who will have a legal entitlement to occupy the <b>home</b> being bought or constructed. Usually this will be the person(s) registered as proprietor on the title (generally a leasehold interest in the land granted by the Commonwealth). Each person acquiring a <b>relevant interest</b> must be listed as an <b>applicant</b> on the application form, excluding a <b>shared equity partner</b> with an interest of 50 per cent or less in the property.
Residential property	Land in Australia on which there is a building that is lawfully occupied as a place of residence or that is suitable for occupation as a place of residence. This includes houses, townhouses, units, flats, duplexes, converted warehouses, fixed moveable homes.
Shared equity finance arrangement	A finance arrangement between an <b>applicant</b> and a <b>shared equity partner</b> .
Shared equity partner	A financial institution or an entity declared as a provider of community housing under s 73A of the <i>Duties Act 1999</i> .
Terms contract	A contract for the sale of land where the purchaser has to make 2 or more payments (excluding the deposit) to the vendor after the contract is signed by all parties. Generally, the purchaser will be in possession of the land under the contract but cannot be registered on the title until the final payment is made to the vendor.
Title search	A search on the land that shows the names of the registered owners. A <b>title search</b> can be obtained from the ACT Registrar General's Office.
Total Value	<p>For various contracts, as follows:</p> <ul style="list-style-type: none"> <li>• Contract to purchase a home - the greater of the consideration for the contract or the unencumbered value, at the commencement date, of the home.</li> <li>• Comprehensive home building contract – the sum of the consideration for the contract and the value, at the commencement date, of the relevant interest in the land on which the home is to be built.</li> <li>• Owner builder – the sum of the unencumbered value of the home and the value of the relevant interest in the land on which the home is built, at the date the transaction is completed.</li> </ul>

Unencumbered value	The value of a home or relevant interest in land without regard to any encumbrance e.g. mortgage. The <b>Commissioner</b> will disregard any scheme or arrangement where the main purpose is to reduce the value of the home or interest. See <i>First Home Owner Grant Act 2000</i> (FHOG Act ) for full definition of unencumbered value.
Valuer	A certified practising valuer who is a member of the Australian Property Institute or a person the <b>Commissioner</b> considers suitably qualified.
Value of relevant interest in the land	Greater of the consideration paid or payable for the interest and the unencumbered value of the interest.

## B ELIGIBILITY CRITERIA

To apply **applicants** must:

- ✓ lodge an application within 1 year after completion of the **eligible transaction**;
- ✓ fully complete and sign the application form and lodge it together with the required supporting documents;
- ✓ be an **individual** at least 18 years of age (i.e. not be applying as a company or a trust, unless as trustee for a person with a legal disability);
- ✓ ensure at least one **applicant** is an Australian citizen or a **permanent resident**;
- ✓ be buying or building a home for which the contract was signed on or after 1 July 2000, or building a home as an **owner builder** where building commenced on or after 1 July 2000;
- ✓ ensure each person holding a **relevant interest** in the property is an **applicant**;
- ✓ ensure at least one **applicant** must reside in the home as their **principal place of residence** for a continuous period of at least 6 months, with the period of occupation starting within 1 year after completion of the **eligible transaction**; and
- ✓ be buying or building a home for which the **total value** of the property does not exceed \$750,000 for eligible transactions which commenced on or after 1 January 2011.

**Applicants** and their **partner** must:

- ✓ not have received a First Home Owner Grant anywhere in Australia. An applicant who received a grant after 1 January 2011 and paid it back, may be entitled to apply for a further grant depending on the circumstances (See [FHOG004](#)). However, an applicant is ineligible for a further grant if the applicant has been convicted of an offence against the *First Home Owner Grant Act 2000* or a corresponding law;
- ✓ not have previously owned or held a relevant interest in a **residential property** anywhere in Australia prior to 1 July 2000;
- ✓ not have occupied a **residential property** in which they acquired a **relevant interest** anywhere in Australia on or after 1 July 2000 but before 1 January 2004; and
- ✓ not have occupied, for a continuous period of at least 6 months, a **residential property** in which they acquired a **relevant interest** anywhere in Australia on or after 1 January 2004.

## C COMMISSIONER'S DISCRETION

ELIGIBILITY CRITERIA	
Criterion	Discretion
Age — all <b>applicants</b> must be 18 years old	The <b>Commissioner</b> may, if satisfied there are good reasons to do so, exempt an <b>applicant</b> from the requirement to be at least 18 years old.
Residency requirements — at least one <b>applicant</b> must occupy the <b>home</b> as their <b>principal place of residence</b> for a continuous period of at least 6 months, with the period of occupation starting within 1 year after completion of the <b>eligible transaction</b>	<p>The <b>Commissioner</b> may:</p> <ul style="list-style-type: none"> <li>(a) exempt an <b>applicant</b> from the requirement to occupy the <b>home</b>; or</li> <li>(b) approve a shorter period of occupation; however, the shorter period must start within 1 year after completion of the <b>eligible transaction</b> unless the <b>Commissioner</b> approves a longer period; or</li> <li>(c) approve a longer period for the applicant to commence occupying the <b>home</b> than within 1 year after completion of the <b>eligible transaction</b>.</li> </ul> <p><b>NOTE</b> Mandatory timeframes and evidentiary requirements apply to all applications for an exercise of these discretions. For further details of the application of the discretion see <a href="#">FHOG002.1</a>. For information about principal place of residence see <a href="#">FHOG003.1</a>.</p>

<b>Partner</b> not regarded as applicant's partner	A person who is the spouse of an <b>applicant</b> will not be regarded as the <b>applicant's partner</b> if, at the time of deciding the application, the <b>Commissioner</b> is satisfied that the <b>applicant</b> is not living with the person and has no intention of resuming living with the person.
<b>OTHER MATTERS</b>	
Lodgment of application	The <b>Commissioner</b> may allow an application before or after the application period i.e. the period beginning on the <b>commencement date</b> of the <b>eligible transaction</b> and ending 1 year after <b>completion</b> of the <b>eligible transaction</b> .
Payment of grant before completion of eligible transaction	The <b>Commissioner</b> may approve payment of the grant before completion of the <b>eligible transaction</b> if satisfied that there are good reasons to do so and conditions apply requiring repayment of the grant if the transaction is not completed within a reasonable time.
Payment of grant in anticipation of compliance with residency requirements	<p>The <b>Commissioner</b> may, if satisfied that the <b>applicant</b> intends to comply with the residency requirements, approve payment of the grant in anticipation of compliance.</p> <p>Payment is conditional on compliance and if the residency requirements are not complied with, the <b>applicant</b> must notify the <b>Commissioner</b> and repay the grant within 14 days of the earlier of the end of the period allowed for compliance or when the applicant becomes aware the requirements will not be complied with during the period allowed for compliance.</p> <p><b>NOTE</b> Failure to notify the <b>Commissioner</b> and repay the grant is a strict liability offence. For details of all offences see <b>FHOG001</b>.</p>
Payment of grant to an owner builder in anticipation of compliance with the cap	<p>The <b>Commissioner</b> may authorise payment of a first home owner grant in anticipation of compliance with the first home owner grant cap if :</p> <ul style="list-style-type: none"> <li>(a) the grant is to be paid in relation to an eligible transaction that involves the building of a home by an owner builder before the completion of the eligible transaction; and</li> <li>(b) the first home owner grant cap applies to the eligible transaction.</li> </ul> <p>Payment is conditional on compliance and if the cap is not complied with, the <b>applicant</b> must notify the <b>Commissioner</b> and repay the grant within 14 days of the earlier of the end of the period allowed for compliance or when the applicant becomes aware the requirements will not be complied with during the period allowed for compliance.</p>
Lodgment of late objection to <b>Commissioner's</b> decision	The <b>Commissioner</b> may allow an applicant to lodge an objection after the 60 day period.

## **D HOW TO LODGE YOUR APPLICATION**

You can lodge your application form with the **Approved agent** providing finance for your home. An **Approved agent** is not authorised by the ACT Revenue Office to offer any advice or assistance on the conditions of eligibility for the grant or on the completion of the application for the grant. At least one applicant must provide a category 1 document to establish citizenship or permanent residency.

You can also lodge your application form at the ACT Revenue Office. You must provide **certified copies** of all four categories of Proof of Identity documents (see section I of the guide). **Certified copies** are not required if the application is lodged through an **Approved Agent**.

Use the 'Checklist' at the end of the application form to ensure you lodge **certified copies** of the required supporting documents with your application.

## **E WHAT HOMES QUALIFY**

The **home** must be a building affixed to land in the ACT that may be lawfully used as a place of residence and is (in the **Commissioner's** opinion) suitable for residential use e.g. a house, flat, unit, townhouse, apartment, or a fixed movable home. An off the plan purchase or a house and land package will become eligible for the grant on settlement.

## F WHEN THE GRANT WILL BE PAID

For payment to be available at settlement or first draw down/progress payment, lodge your application with the **Approved agent** providing your finance or the ACT Revenue Office. For payment after settlement, lodge in person at the ACT Revenue Office. The following table provides payment details.

Type of transaction	Applying through	Payment of grant
Purchase of new or established home	<b>Approved agent</b> or ACT Revenue Office	Date of settlement
<b>Contract to build</b>	<b>Approved agent</b> or ACT Revenue Office	Within 10 working days of the foundations being laid* <b>or</b> your builder invoices you for your first progress payment* (not the deposit) <b>or</b> on issue of the Certificate of Occupancy *You must provide evidence of payment of at least the amount of the grant
<b>Owner builder</b>	<b>Approved agent</b> or ACT Revenue Office	Within 10 working days of the foundations being laid* <b>or</b> your builder invoices you for your first progress payment* (not the deposit) <b>or</b> on issue of the Certificate of Occupancy *You must provide evidence of payment of at least the amount of the grant, not including your own labour costs.
<b>Terms contract</b>	ACT Revenue Office	Within 14 days of lodging application with evidence of possession

## G WHEN YOU MUST MOVE IN AND FOR HOW LONG

At least one **applicant** must start occupying the **home** within 1 year after completion of the **eligible transaction**. At least one **applicant** must reside in the **home** as their **principal place of residence** for a continuous period of at least 6 months. However, the **Commissioner** has a discretion to vary the residency requirements (see section C of the guide).

**Applicants** must satisfy the **Commissioner** that they have met the residency requirements and may be required to prove residency by providing documentary evidence of their period of occupancy.

**Applicants** who do not satisfy the residency requirements must notify the **Commissioner** in writing within 14 days of the **notifiable event** and repay the grant (see section J of the guide).

## H COMPLETING THE APPLICATION FORM

The application form has 8 sections that must be completed as follows.

### Section 1 – Eligibility Criteria

Answer Questions 1 to 7 by ticking the relevant YES or NO box. The answers are designed to establish if the **applicant(s)** meet the eligibility criteria.

All persons with a **relevant interest** in the property, and any **partner** of those persons, must be considered when answering these questions.

The **Commissioner** makes all decisions relating to an **applicant's** eligibility. The **Commissioner** has a discretion to vary the eligibility criteria in certain circumstances (see section C of the guide and/or contact the ACT Revenue Office for further information).

### Section 2 – Applicant Details

Detail the number of persons with a **relevant interest**. This must include all persons who have, or will have, a **relevant interest** in the property. If there are more than two **applicants**, complete an additional application form and attach it to the first application form.

If an **applicant** has a **partner**, there are two options. If your **partner** is an **applicant**, he or she must be recorded within this section. If your **partner** is not an **applicant**, you must complete the details in section 3 of the application form. Nominate a postal address for correspondence to be sent on behalf of all **applicants**.

### Section 3 – Non-applicant Partner Details

This section must be completed by the **applicant** in relation to the **partner** of the **applicant** who has not already been specified as an **applicant** (and therefore will have no **relevant interest** in the **residential property**). If the applicant is required to complete this section, the non-applicant **partner** must complete the declaration in section 7 of the form.

### Section 4 – Property and Transaction Details

Provide the current title (suburb/section/block/unit) details of the property. Provide the intended date of occupancy as owner of the **home**. Estimate this date if you are unsure.

To be eligible for the grant at least one **applicant** (excluding a **shared equity partner** with an interest of 50 per cent or less in the property) must move into the home and maintain it as their **principal place of residence** for a continuous period of at least 6 months, starting within 1 year after completion of the **eligible transaction**.

### Section 5 – Payment Details

**Applicants** must complete this section only if applying through the ACT Revenue Office. You must nominate an account to receive funds electronically (EFT). The account can belong to a person who is not an **applicant**. Payment of the grant will be made into the nominated bank account.

Provide details of the name of the financial institution, account name, BSB, and account number.

Failure to provide correct details will cause delays in payment of the grant. If you are applying through an **Approved agent**, the agent will record all your payment details.

### Section 6 – Declaration by Applicant(s)

All **applicants** must sign the declaration and must have read and understood all the details completed on the application form.

### Section 7 – Declaration by Non-applicant Partner

If an **applicant's partner** is not an **applicant**, he or she must sign this declaration and must have read and understood all the details completed on the application form as they relate to him or her.

### Section 8 – Checklist of Documents to be Lodged with Application

Please ensure all supporting documentation is attached with your application. Failure to produce the relevant documentation may result in delays in processing.

#### I PROOF OF IDENTITY DOCUMENTS

The following is a list of documents acceptable for each category of identification listed in the application form and must be read in conjunction with the application form. **Applicants** and their **partners** (excluding a **shared equity partner**) must lodge a **certified copy** of a document from each of the following 4 categories as proof of identify. A single document cannot be used for more than one category.

Category	Preferred document
Category 1	Birth certificate
Category 2**	Driver's licence
Category 3**	Medicare Card
Category 4**	Current utilities bill (showing the applicant's name and residential address)

\*\* Not required if application is lodged through an **Approved agent**.

**Certified copies** of the following documents are also acceptable. **Applicants** who are unable to provide a **certified copy** of a document from a category or categories should contact the ACT Revenue Office to discuss their circumstances.

**Certified copies** are not required if the application is lodged through an **Approved Agent**.

Category	Certified copy of document satisfying the category	Comment
Category 1	<p>If born in Australia Australian birth certificate issued by Registrar of Births, Deaths and Marriages<sup>^</sup> (Extracts are not acceptable)</p> <p>If born overseas</p> <ul style="list-style-type: none"> <li>Passport – current<sup>**^</sup></li> </ul> <p><b>and</b></p> <p>Record of immigration status</p> <ul style="list-style-type: none"> <li>Australian Citizenship Certificate<sup>^</sup></li> <li>Permanent residency certificate (Form 164) issued by the Department of Immigration<sup>^</sup></li> <li>Permanent residency visa<sup>^</sup></li> </ul>	<p>* If the current Passport is an overseas passport <u>also</u> provide one of the “Record of immigration status” documents. If born overseas and you do not have a current passport you must provide a record of immigration status.</p> <p><sup>^</sup> Evidence of Change of Name is required if the name on any document is different from the name of the applicant (e.g. Change of Name certificate, Deed Poll certificate, Marriage certificate, Birth certificate)</p>
Category 2 <sup>**</sup>	<ul style="list-style-type: none"> <li>Australian driver’s licence<sup>^</sup> – current learner’s permit or provisional licence showing address as on application</li> <li>Passport – current<sup>^</sup> - lapsed passports will not be accepted</li> <li>Firearms licence – current<sup>^</sup></li> <li>Photo ID from place of work</li> </ul>	<p>If separated from your spouse, provide a statutory declaration with your former partner’s name, date of birth, date of marriage, date of separation, current address (if known) and statement to the effect that you do not live together and have no intention of resuming cohabitation</p>
Category 3 <sup>**</sup>	<ul style="list-style-type: none"> <li>Medicare card<sup>^</sup></li> <li>Motor vehicle registration</li> <li>Centrelink or Department of Veterans’ Affairs card<sup>^</sup></li> <li>Security guard/crowd control licence<sup>^</sup></li> <li>Tertiary education institution ID card<sup>^</sup></li> </ul>	<p>Note: At least one <i>applicant</i> must be an Australian citizen or <i>permanent resident</i> at the time of application.</p>
Category 4 <sup>**</sup>	<ul style="list-style-type: none"> <li>Utility documents showing current residential address</li> <li>Insurance policy showing current residential address</li> <li>Loan documents from a financial institution</li> </ul>	

<sup>\*\*</sup> Not required if application is lodged through an **Approved agent**.

## J NOTIFIABLE EVENT AND OBLIGATION TO REPAY THE GRANT

A **notifiable event** occurs when any part of the eligibility criteria is not met. In all such cases, **applicants** are required by law to notify the **Commissioner** in writing and repay the grant within the timeframes specified as follows.

NOTIFIABLE EVENT	NOTIFICATION TIMEFRAME
Failing to comply with the residency requirements (see section G of the guide)	<p>Within 14 days of the earlier of the date:</p> <ul style="list-style-type: none"> <li>by which the applicants were required to have taken occupation of the home; or</li> <li>on which it became apparent that the applicants would not comply with the residency requirements during the period allowed for compliance.</li> </ul>
Failing to comply with a condition of the grant in relation to a non-complying interest, or payment before completion of eligible transaction, for example exceeding the cap, or a general condition	<p>Within 14 days of breach of the condition.</p>
Overpayment of the grant	<p>Within 14 days of payment of the grant.</p>

It is an offence to fail to comply with notification and repayment obligations (see section L of the guide).

## K COMPLIANCE INVESTIGATIONS

The ACT Revenue Office conducts ongoing investigations to ensure that **applicants** comply with all conditions. All applications are rigorously reviewed, and checks made of former home ownership by any **applicant** in the ACT and interstate, together with a **title search** of property details. Further checks are made of **partner** status and ACT Planning and Land Authority records. A compliance check generally takes place after the grant has been paid.

## L FALSE OR MISLEADING INFORMATION AND PENALTIES

**Applicants** for the First Home Owner Grant **must** ensure information contained in or in connection with their application is information they know to be true and correct in every particular. If a grant is subject to conditions notified to **applicants** in writing, **applicants** must comply with the conditions or repay the grant if they are unable to comply.

**Applicants** who receive a grant to which they are not entitled, or who do not comply with the residency requirements, or who fail to comply with notification and repayment obligations may, in addition to repaying the grant, be subject to an administrative penalty of up to the amount of the grant, and payment of interest. Applications are made on a self-assessment basis. Information supplied by applicants is generally compliance checked after the grant has been paid.

**Giving false or misleading information is a serious offence** under the *Criminal Code 2002* (ACT). The ACT Revenue Office may prosecute any **applicant** found to have provided false or misleading information in an application. For offences and penalties under the FHOG Act see [FHOG001](#).

## M YOUR RIGHTS

If you wish to obtain more information about a decision, you may apply **in writing** to the **Commissioner** within **28 days** after the date of the decision by post to PO Box 293, Civic Square ACT 2608 or by email using the feedback form at [http://www.revenue.act.gov.au/functions/feedback\\_form](http://www.revenue.act.gov.au/functions/feedback_form).

If you wish to object to a decision, you must apply **in writing** to the **Commissioner** by post to PO Box 293 Civic Square ACT 2608 or by email to [revenue\\_objections@act.gov.au](mailto:revenue_objections@act.gov.au) within **60 days** after the date of service of the decision. The application must state clearly your reasons for objecting and be accompanied by the prescribed fee of **\$64**. You bear the burden of showing that your objection should be upheld. An objection is determined by a senior officer who is independent of the original decision-maker on the basis of the information provided in the objection and by the decision-maker. Additional information may be requested to assist in determining the objection. The **Commissioner** will give you notice in writing of the determination of your objection.

If you wish to seek a review of the determination of your objection, you must apply **in writing** to the ACT Civil and Administrative Tribunal (the ACAT) within **28 days** of the date of the determination. The application must state clearly your reasons for seeking a review. Contact the ACAT Registry for further information.

## N CONTACT DETAILS

Telephone	(02) 6207 0028
Street address	Canberra Nara Centre Corner of London Circuit and Constitution Avenue Canberra City
Postal address	PO Box 293 Civic Square ACT 2608
Office hours	9:00 am to 5:00 pm Monday, Tuesday, Thursday and Friday 10:30 am to 5:00 pm Wednesday
Website	<a href="http://www.revenue.act.gov.au">www.revenue.act.gov.au</a>

**GIVING FALSE OR MISLEADING INFORMATION IS A SERIOUS OFFENCE**  
(section 338 *Criminal Code 2002*)

### PRIVACY STATEMENT

All information collected by the ACT Revenue Office is protected by secrecy provisions in Acts administered by the Office and only used for the purposes of those Acts. In addition, personal information provided to the ACT Revenue Office is protected by the *Privacy Act 1988* (Cth). Information (including personal information) is not disclosed to any third party unless authorised by law or with the consent of the person involved.

# Application Form First Home Owner Grant Scheme

UIN  
Application reference  
Application received by  
Date lodged

## SECTION 1 ELIGIBILITY CRITERIA

**NOTES** Read the guide to the application for the meaning of any terms used in the application. This application will not be considered unless it is signed and lodged with the required supporting evidence. Applications must be lodged within 1 year after the **completion date** of the **eligible transaction**. Eligibility is determined at the date of lodgment of the application. All **applicants** and their **partner** must be considered when answering the eligibility questions.

### ELIGIBILITY CHECKLIST

<b>1</b>	<p>Is this the first time each <b>applicant</b> and/or their <b>partner</b> will receive a grant under the <i>First Home Owner Grant Act 2000</i> anywhere in Australia? <b>NOTE</b> You may be eligible for a further grant if you repaid an earlier grant – see <a href="#">FHOG004</a></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>2</b>	<p>Does <b>each</b> applicant and their <b>partner</b> declare that before 1 July 2000 he/she has never owned a <b>residential property</b> anywhere in Australia either jointly, separately or with some other person? <b>NOTE</b> <b>Applicants</b> are not eligible for a grant if they or their <b>partner</b> have held a <b>relevant interest</b> in <b>residential property</b> prior to 1 July 2000, even if they have never occupied the property.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>3A</b>	<p>Does each <b>applicant</b> and their <b>partner</b> declare that he/she has never occupied <b>residential property</b> anywhere in Australia in which they acquired a <b>relevant interest</b> either jointly, separately or with some other person, on or after 1 July 2000 but before 1 January 2004?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>3B</b>	<p>Does each <b>applicant</b> and their <b>partner</b> declare that he/she has never occupied <b>residential property</b> anywhere in Australia for a continuous period of at least 6 months in which they acquired a <b>relevant interest</b> either jointly, separately or with some other person, on or after 1 January 2004?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>4</b>	<p>Is each <b>applicant</b> an <b>individual</b> (e.g. not a company or trust except a trustee for a person with a legal disability) and at least 18 years of age? <b>NOTE</b> An individual under 18 years of age may still be eligible – contact the ACT Revenue Office.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>5</b>	<p>Is at least one <b>applicant</b> an Australian citizen or <b>permanent resident</b> at the time of making the application?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>6</b>	<p>Will at least one <b>applicant</b> be occupying the home as their <b>principal place of residence</b> for a continuous period of at least 6 months, with the period of occupation starting within 1 year after the <b>completion date</b> of the <b>eligible transaction</b>? <b>NOTE:</b> From 17 February 2010, where there are joint applicants and at least one <b>applicant</b> will comply with the residency requirements, there is no requirement for the <b>Commissioner</b> to exempt a non-complying <b>applicant</b>.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>7</b>	<p>Has each <b>applicant</b> on or after 1 July 2000, either:</p> <ul style="list-style-type: none"> <li>• entered into a contract for the purchase of a <b>home</b> in the ACT; or</li> <li>• entered into a <b>contract to build a home</b> built in the ACT; or</li> <li>• in the case of an <b>owner builder</b> – commenced constructing a <b>home</b> in the ACT (i.e. laying the foundations)?</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No

#### Approved Agent / ACT Revenue Office use only

All evidence sighted: <input type="checkbox"/> Yes <input type="checkbox"/> No	Person sighting the evidence:	Signature: Date:	Payment eligibility date: (enter settlement, completion or first draw down date only)
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# Application Form—First Home Owner Grant Scheme

## DETERMINATION OF ELIGIBILITY

If you answered YES to all of the above questions, you may be entitled to receive the First Home Owner Grant subject to the written decision of the **Commissioner**. If you answered NO to any question, you may still be eligible if a discretion is exercised in your favour (see section C of the guide).

## SECTION 2 APPLICANT DETAILS

**NOTE** All **applicants** must complete this section. If there are more than two **applicants**, complete and attach an additional application form. Each **applicant** must sign the declaration in section 6 of the form.

A **shared equity partner** is excluded from the requirement to be an **applicant** to the grant provided that, on completion of the transfer of the property to which the application relates, the **shared equity partner** will have an interest of 50 per cent or less in the property.

Number of **applicants** (how many persons will have a **relevant interest** in the property?)

**Related or associated party transactions** (are any of the **applicants** or their **partners** related to or associated with the vendor or builder? If yes, provide evidence of the **consideration paid**)  Yes  No

**Indigenous Australian** (are any of the **applicants** Aboriginal or Torres Straight Islander?)  Yes  No  
**NOTE** Answering this question is optional. The information collected will only be used for statistical purposes by Commonwealth, State and other Territory Governments and will have no bearing on your application

	Applicant 1 (Contact Applicant)	Applicant 2
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr
First name	<input type="text"/>	<input type="text"/>
Middle name(s)	<input type="text"/>	<input type="text"/>
Family name	<input type="text"/>	<input type="text"/>
If different from above:		
Name on birth certificate First name	<input type="text"/>	<input type="text"/>
Middle name(s)	<input type="text"/>	<input type="text"/>
Family name	<input type="text"/>	<input type="text"/>
Have you ever used any name other than the name(s) declared above?	<input type="checkbox"/> Yes – list name(s) below <input type="checkbox"/> No	<input type="checkbox"/> Yes – list name(s) below <input type="checkbox"/> No
	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>
Date of birth	<input type="text"/>	<input type="text"/>
Place of birth State/Territory	<input type="text"/>	<input type="text"/>
Country	<input type="text"/>	<input type="text"/>
Daytime telephone number	( <input type="text"/> ) <input type="text"/>	( <input type="text"/> ) <input type="text"/>
Email address	<input type="text"/>	<input type="text"/>

# Application Form—First Home Owner Grant Scheme

Current residential address	Street number	Street number
	Street name	Street name
	Suburb	Suburb
	State                      Postcode	State                      Postcode

Address for service of notices (if different from above)	Street number	Street number
	Street name	Street name
	Suburb	Suburb
	State                      Postcode	State                      Postcode

Do you have a partner? If yes, will your partner have a relevant interest in the home?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/> Yes – your partner must complete the details as Applicant 2 above	<input type="checkbox"/> No – you must complete section 3

<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes – your partner must complete the details as an applicant	<input type="checkbox"/> No – you must complete section 3

Tick the States and/or Territories in which you have lived	NSW	ACT	NT	QLD	SA	TAS	VIC	WA
	<input type="checkbox"/>							

NSW	ACT	NT	QLD	SA	TAS	VIC	WA
<input type="checkbox"/>							

## SECTION 3 NON-APPLICANT PARTNER DETAILS

**NOTE** To be completed by the **applicant** where the **partner** of an **applicant** is not listed as an **applicant** in section 2. The **non-applicant partner** must also sign the declaration in section 7.

	<b>Non-applicant Partner of Applicant 1</b>
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr

	<b>Non-applicant Partner of Applicant 2</b>
	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr

First name	
Middle name(s)	
Family name	


If different from above:

Name on birth certificate	First name	
	Middle name(s)	
	Family name	


Date of birth	<input type="text"/>
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<input type="text"/>
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Place of birth	State/Territory	
	Country	






## Application Form—First Home Owner Grant Scheme

10. I have read and understood the information in the guide prepared by the ACT Revenue Office relating to the conditions of eligibility. I accept that if the conditions of eligibility are not met, I may not be entitled to receive or retain the grant.
11. I authorise the ACT Revenue Office to access and exchange information about me to verify my eligibility for the First Home Owner Grant with the **Approved agent** (where applicable), State, Territory and Australian Government agencies, and commercial organisations, as permitted by law.
12. I understand that the **Approved agent** is not authorised by the ACT Revenue Office to offer any advice or assistance on the conditions of eligibility for the grant, or on the completion of this application.
13. I authorise the ACT Revenue Office to deposit the grant into the account nominated in section 5 (ensure account details are correct) or into the **Approved agent's** nominated account (where applicable).
14. I authorise the **Approved agent** to hold the grant until the completion of the **eligible transaction** and to repay the grant to the **Commissioner** if the transaction is not completed within 28 days of the date specified.
15. I authorise the **Commissioner** to address all correspondence relating to this application to Applicant 1 at the address nominated.
16. I acknowledge that if I am not entitled to the grant I may be required to repay the grant, and may be liable for a penalty of up to the amount of the grant, and interest. I further acknowledge that I may also be prosecuted under the *Criminal Code 2002* (ACT) for making a false or misleading statement in or in connection with this application.

I declare that the statements contained herein and the supporting documentation provided are true and correct in every particular.

	Applicant 1	Applicant 2
Name		
Signature		
Date		
Before me (signature of witness)		
Full name and address of witness (A witness must not be an <b>applicant</b> or a <b>partner</b> of an <b>applicant</b> and must not be related to the <b>applicant</b> or his/her <b>partner</b> )	Name	Name
	Street number/name	Street number/ name
	Suburb	Suburb
	State	State
	Postcode	Postcode

## Application Form—First Home Owner Grant Scheme

### SECTION 7 DECLARATION BY NON-APPLICANT PARTNER OF APPLICANT

1. The **partner** details in section 3, in so far as they relate to me, are true and correct.
2. I have not previously received and retained a grant under the *First Home Owner Grant Act 2000* (ACT) or under a corresponding Act in any State or other Territory, either alone or together with any other person or persons.
3. I have not owned a **home** or held a **relevant interest** in a **residential property** within Australia, either jointly, separately or with some other person, prior to 1 July 2000.
4. I have not owned and occupied a **residential property** within Australia in which I acquired a **relevant interest**, either jointly, separately or with some other person, on or after 1 July 2000 but before 1 January 2004.
5. I have not owned and occupied, for a continuous period of at least 6 months, a **residential property** within Australia in which I acquired a **relevant interest**, either jointly, separately or with some other person, on or after 1 January 2004.
6. I authorise the ACT Revenue Office to access and exchange information about me to verify my **partner's** eligibility for the First Home Owner Grant with the **Approved agent** (where applicable), State, Territory and Australian Government agencies, and commercial organisations, as permitted by law.
7. Although I am not an **applicant** for the grant, I have read and understood the reasons in the guide for me having to make this declaration.
8. I acknowledge that I may be prosecuted under the *Criminal Code 2002* (ACT) for making a false or misleading statement in or in connection with this application.

I declare that I have read and understood the above information and that the statements contained herein and the supporting documentation provided are true and correct in every particular in so far as they relate to me.

	Partner of Applicant 1	Partner of Applicant 2
Name		
Signature		
Date		
Before me (signature of witness)		
Full name and address of witness (A witness must not be an <b>applicant</b> or a <b>partner</b> of an <b>applicant</b> and must not be related to the <b>applicant</b> or his/her <b>partner</b> )	Name	Name
	Street number/name	Street number/ name
	Suburb	Suburb
	State                      Postcode	State                      Postcode

**GIVING FALSE OR MISLEADING INFORMATION IS A SERIOUS OFFENCE**  
(section 338 *Criminal Code 2002*)

#### PRIVACY STATEMENT

All information collected by the ACT Revenue Office is protected by secrecy provisions in Acts administered by the Office and only used for the purposes of those Acts. In addition, personal information provided to the ACT Revenue Office is protected by the *Privacy Act 1988* (Cth). Information (including personal information) is not disclosed to any third party unless authorised by law or with the consent of the person involved.

## Checklist—Documents to be Lodged with Application Form—First Home Owner Grant Scheme

### SECTION 8 CHECKLIST

Complete the checklist to ensure the required supporting documents are attached to your application. To ensure your application is processed in a timely manner, ensure it is fully completed, signed and dated.

Your application will not be accepted if it is not fully completed and/or the required supporting documents are not attached. Additional documents may be requested after lodgment of your application.

Proof of identity of all <b>applicants</b> and their <b>partners</b> * (only provide <b>certified copies</b> )	Tick if attached	Office use only
Category 1 — type:	<input type="checkbox"/>	<input type="checkbox"/>
Category 2** — type:	<input type="checkbox"/>	<input type="checkbox"/>
Category 3** — type:	<input type="checkbox"/>	<input type="checkbox"/>
Category 4** — type:	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>• Certificate of divorce, marriage certificate, death certificate, change of name certificate, other</li> <li>• Statutory declaration for persons who are separated</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Contract to purchase a home</b> (only provide <b>certified copies</b> )		
<ul style="list-style-type: none"> <li>• Certified copy of Contract for Sale, dated and signed by the vendor</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
Where there is no contract, or the sale of the property is between family members or <b>related parties</b> :		
<ul style="list-style-type: none"> <li>• Stamped and dated copy of the transfer signed by both parties</li> <li>• Evidence that <b>consideration</b> has been paid*</li> <li>• Evidence of total value of property (house and land)</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Contract to build a home</b> (only provide <b>certified copies</b> )		
<ul style="list-style-type: none"> <li>• Certified copy of contract to build dated and signed by all parties</li> <li>• Title search showing the <b>applicant(s)</b> as the registered proprietor(s)*</li> <li>• Copy of receipt for foundations*</li> <li>• Evidence of first progress payment after deposit*</li> <li>• Evidence of the unencumbered value (land only)</li> <li>• Certificate of Occupancy issued by ACT Planning and Land Authority*</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Owner builder</b> (only provide <b>certified copies</b> )		
<ul style="list-style-type: none"> <li>• Title search showing the <b>applicant(s)</b> as the registered proprietor(s)*</li> <li>• Copy of receipt for foundations*</li> <li>• Evidence of first progress payment after deposit*</li> <li>• Certificate of Occupancy issued by ACT Planning and Land Authority*</li> <li>• Evidence of the total value of the property (house and land)</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

\* **Certified copies** are not required if the application is lodged through an **Approved Agent**.

\*\* Not required if application is lodged with an **Approved agent**