



Fact Sheet 7: Domestic violence and the asset and income requirements for public housing

1. Overview

To qualify for public housing, you must meet certain requirements. One of these requirements is that you cannot have an interest in residential real estate property in Australia. However, if you are experiencing domestic violence, this requirement applies differently to you. There are also requirements about your level of income.

This factsheet provides information about the special processes and policies that apply to asset and income requirements for people experiencing domestic violence.

2. Asset requirements

Normally, a person is not eligible for public housing if they have an interest in residential property. This can be a problem for someone experiencing domestic violence when they own or jointly own property with a perpetrator of abuse. In situations like this, the property may be subject to Family Court proceedings, or they may not be able to use the property because of safety concerns.

Housing ACT's Domestic and Family Violence Policy Manual changes the normal rules for people experiencing domestic violence. If you are

- experiencing domestic violence; AND
- you have an interest in a residential real estate property; AND
- The property is tied up in a settlement dispute or you can't access the property because of the domestic violence,

then Housing ACT may waive the rule that you must have no interests in residential property.

If you are trying to show that you cannot use the property because it is tied up in a settlement dispute or it is unsafe, then you will usually need some documentation. Types of evidence could include:

- A letter from a solicitor
- Interim orders from the Family Court or Federal Circuit Court
- A letter from a support worker
- A letter from a domestic violence support service.

In addition, your personal assets (not counting furniture, clothing and one vehicle) must not be worth more than \$40,000.

3. Income requirements

Currently, to be eligible for public housing, your income cannot be more than the following limits:

Single Applicant	\$768 gross per week
Family of two persons and joint tenancies	\$960 gross per week
Family of three or more persons	\$960 plus \$128 each for the third, fourth, fifth person etc.

The Housing ACT Domestic Violence and Policy Manual does NOT change the income requirements for people experiencing domestic violence. However, in cases of severe hardship, Housing ACT may decide to make an exception so that the income requirements do not apply. If you are experiencing domestic violence and you are not sure how the income requirements apply to you, you should get legal advice.

Disclaimer

This factsheet contains general information available at the time of publication. It does not constitute legal advice. If you have a specific legal problem please contact Canberra Community Law's advice line on 02 6218 7900.

Canberra Community Law is entirely independent of Housing ACT. All assistance is free.