



Fact Sheet 8: Domestic violence and the residency requirements for public housing

1. Overview

To qualify for public housing, you must meet certain requirements. One of these requirements is that you must meet the residency requirements, which are:

- that you have a right to live in Australia that is not limited by time;
- that you have been living in the ACT for six months at the time that you submit your application.

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

2. The requirement that you have a right to live in Australia not limited by time

Normally, a person is only eligible for public housing if they:

- are an Australian citizen; OR
- have a visa that allows them to stay in Australia permanently.

However, domestic violence can affect people who hold visas that don't allow them to stay in Australia permanently. If you are a sponsored migrant or a refugee, the Housing ACT Domestic Violence and Policy Manual says that you may be considered eligible for public housing if:

- You are a refugee and you are awaiting permanent residency; or
- You are a sponsored migrant, but your Assurance of Support arrangement has broken down.

An Assurance of Support arrangement is required for some types of visa. It is a promise by your sponsor to the Australian government that they will repay any Centrelink money that is paid to you. An Assurance of Support arrangement can sometimes break down. If you are not sure whether your Assurance of Support arrangement has broken down, you should get legal advice.

3. The requirement that you have resided in the ACT for six months

Normally, to be eligible for public housing, you need to have resided in the ACT for at least six months at the time that you submit your application. If you are experiencing domestic violence, the Housing ACT Domestic and Family Violence Policy Manual says that this rule won't apply to you if:

- You can show a compelling reason to need to move to the ACT (e.g. you have supports in the ACT, or for safety reasons).
- You were previously a long-term resident of the ACT.

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.