



Guidelines: Temporary Relocation Assistance Grant for Residents of Inconvenienced Properties

LOOSE FILL ASBESTOS INSULATION ERADICATION SCHEME

September 2018

OVERVIEW

These Guidelines detail how the Temporary Relocation Assistance Grant (the Grant) for residents of 'Inconvenienced Properties' will be administered, including the purpose of the Grant, eligibility criteria and the application process.

INTRODUCTION

The Loose Fill Asbestos Insulation Eradication Scheme (the Scheme) is removing loose fill asbestos insulation from Canberra residential properties by demolishing affected properties and remediating blocks. Under the Scheme, announced in October 2014, the ACT Government offered to purchase all Affected Properties.

PURPOSE OF THE TEMPORARY RELOCATION ASSISTANCE GRANT FOR RESIDENTS OF 'INCONVENIENCED PROPERTIES'

Before and during the demolition of an Affected Property and any associated Eligible Impacted Property, some nearby residents may experience significant disruption because their home shares a block, common property, structural elements or utilities with the Affected Property. These properties are referred to as 'Inconvenienced Properties'.

The Taskforce may request that residents of an Inconvenienced Property temporarily vacate their home to facilitate the safe and efficient demolition of a nearby Affected Property or Eligible Impacted Property. In these circumstances, the Taskforce is able to provide financial assistance to the residents to help with their temporary relocation. Only residents who are requested by the Taskforce to temporarily relocate are eligible to apply for the Grant.

DEFINITIONS

Affected Property - a property listed on the Affected Residential Premises Register (the Register) established under the *Dangerous Substances Act 2004*.

Eligible Impacted Property - a property that the Taskforce has determined needs to be demolished to facilitate the safe and efficient demolition of an associated Affected Property.

Inconvenienced Property - a property that:

- has an association with an Affected Property that the Territory has acquired, with this association being the sharing of a block, common property, structural elements, utilities, and other amenities; and
- will be significantly inconvenienced by the Taskforce's demolition of that Affected Property; and
- is determined by the Taskforce to be an Inconvenienced Property.

Owner Occupier - a person who resides in the Inconvenienced Property and who is the Crown lessee/unit title holder of the Inconvenienced Property.

Tenant - a person who has a right to occupy the Inconvenienced Property under a residential tenancy agreement in accordance with the *Residential Tenancies Act 1997*.

WHO CAN APPLY FOR A GRANT?

To be eligible for the Grant, you must be:

- advised in writing by the Taskforce that the residence is an Inconvenienced Property; and either:
- an Owner Occupier of the Inconvenienced Property at the time that temporary relocation is required; or
- a Tenant of the Inconvenienced Property at the time that temporary relocation is required.

HOW MUCH IS THE GRANT?

The Grant is a single lump sum payment of \$5,000 per household, regardless of the number of people residing in the Inconvenienced Property.

The Taskforce will not split payments. Any division of funds must occur between the relevant parties.

Payments will be made by electronic bank transfer to a single recipient, who must be nominated on the application form.

HOW DO I APPLY FOR THE GRANT?

When the demolition plan for the Affected Property is finalised, the Taskforce will notify the residents of the Inconvenienced Property that they may need to temporarily relocate. Owner Occupiers and Tenants should not expect to be advised of their eligibility for the Grant significantly in advance of when demolition will occur.

After receiving advice in writing from the Taskforce that the property is an Inconvenienced Property, eligible Owner Occupiers/Tenants may lodge a Grant application with the Taskforce. The application form will be provided by the Taskforce at this time.

Tenants of an Inconvenienced Property will need to provide a copy of their residential tenancy agreement and evidence of lodgement of their bond with Access Canberra with their application.

Applications can only be made by those tenants named on the residential tenancy agreement. All Owner Occupiers or Tenants must sign the application form.

A Tenant who vacates an Inconvenienced Property as part of the formal course of their lease (e.g. their tenancy term expired) will not be entitled to assistance unless they can establish they vacated as a result of the notification of upcoming demolition of the neighbouring Affected Property. The Taskforce may request additional information to verify this.

ADDITIONAL INFORMATION

Additional information may be requested by the Taskforce to enable assessment of a Grant application.

GRANT CRITERIA

To be eligible to receive the Grant, applicants must satisfy the following criteria:

- They have been advised in writing by the Taskforce that the property is an Inconvenienced Property.
- They are the Owner Occupier or Tenant of the Inconvenienced Property at the time that the Taskforce requests temporary relocation from the Inconvenienced Property.
- They must sign an agreement which states that they will not reside in the Inconvenienced Property during the agreed period of temporary relocation.
- They must sign an agreement which states that they will not knowingly allow anyone else to reside at the Inconvenienced Property during the agreed period of temporary relocation.

WHEN IS THE GRANT PAYABLE?

Payment will be made when the demolition works commence and the Inconvenienced Property is vacated. Payment will be made by electronic funds transfer.

REVIEW PROCESS

Eligible applicants can seek a review of the funding provided if they are dissatisfied with the support provided. An Assistance Grant Review Request is available on the Taskforce website at www.asbestostaskforce.act.gov.au/grant-review-request.

An initial review will be conducted by the Executive Director, Asbestos Response Taskforce, (or another person at the equivalent level). Where the reviewed decision remains unacceptable to the person seeking the review they may seek a second review from the Deputy Director-General, Sustainability and the Built Environment, EPSDD (or another person at the equivalent level) whose decision will be final. Written notice of each decision will be provided to the person seeking the review.

A review will be conducted within ten days of a request being received, providing all requisite information is received.

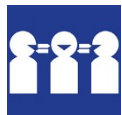
Following a second level review, applicants can contact the ACT Ombudsman Office on 1300 362 072 or at ombudsman@ombudsman.gov.au if they have concerns about the process and outcome.

FURTHER INFORMATION

Call Access Canberra on 13 22 81 and ask to speak with the Asbestos Response Taskforce, or email asbestostaskforce@act.gov.au.

ACCESSIBILITY

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If English is not your first language and you require a translating and interpreting service, please phone 13 14 50 and ask for 13 22 81.

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