

FIRST HOME OWNER GRANT

LODGEMENT GUIDE
CURRENT AS AT APRIL 2021



Four easy steps to claiming your grant

1

READ THE LODGEMENT GUIDE

The guide contains important information you need to read before completing and submitting your application.

2

COMPLETE THE APPLICATION FORM

Complete all relevant sections of the application form.

3

SUPPLY ALL SUPPORTING EVIDENCE

Complete the checklist to ensure you have attached all supporting documentation.

4

LODGE YOUR APPLICATION

Submit your application to your approved agent or the State Revenue Office.

Lodgement guide

Each applicant should read this information before completing and submitting their application form.

NOTE: WORDS IN ITALICS ARE EXPLAINED IN 'TERMS USED' ON PAGE 10.

TO APPLY, APPLICANTS MUST:

- Fully complete the application form and lodge it with all relevant supporting documentation.
- Be a *natural person* (i.e. not applying as a company or trust), at least 18 years of age at the date of settlement or completion of construction.
- Ensure at least one *applicant* is an Australian citizen or a *permanent resident* at the date of settlement or completion of construction.
- 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.
- Be buying or building a *home* for which the purchase price of the property does not exceed the \$750,000 cap for eligible transactions which commenced on or after 1 January 2010.
- Ensure each person holding a *relevant interest* in the property is an applicant.
- Ensure at least one *applicant* will reside in the home as their principal place of residence for a continuous period of at least 12 months commencing within 12 months of *completion of the eligible transaction*.
- Lodge an application within 12 months of completion of the *eligible transaction*.
- Must include partner/spouse details on the application, and provide supporting documentation.

APPLICANTS AND THEIR SPOUSE/

PARTNER MUST NOT:

- Have previously received a First Home Owner Grant in any state or territory of Australia. If a grant was received but later paid back with any penalty you may be entitled to reapply for the grant.
- Have previously owned or held a *relevant interest* in a *residential property* anywhere in Australia prior to 1 July 2000.
- Have occupied, for a continuous period of at least

six months, a *residential property* in which they acquired a *relevant interest* on or after 1 July 2000 anywhere in Australia.

HOW TO LODGE YOUR APPLICATION:

The *approved agent* who is providing your finance:

- A list of *approved agents* can be found at sro.vic.gov.au/approvedagents.
- If you require the grant for settlement or first draw down/progress payment, you must lodge your application with an approved agent.

The State Revenue Office (SRO):

- If you **lodge your application with the SRO**, you must send the ORIGINAL application form together with copies of your supporting documents.

THE SRO UNTIL AFTER THE COMPLETION OF THE ELIGIBLE TRANSACTION.

Supporting evidence

PROOF OF IDENTITY

IF LODGING WITH AN APPROVED AGENT

CATEGORY 1

Each applicant and their *spouse/partner* must provide a Category 1 document.

Category 1 documents for **Australian citizens** are:

- A copy of an Australian birth certificate.
- A copy of an Australian passport.
- A copy of an Australian citizenship certificate.

Category 1 document for **New Zealand citizens*** is:

- A copy of their current passport.

Category 1 documents for **citizens of another country** are:

- A copy of their current passport.
- A copy of their permanent residence visa grant notice, including the date on which it was granted.

*Applicants who are New Zealand citizens must be living in Australia upon completion of the *eligible transaction*.

Note: At least one *applicant* must be an Australian citizen or *permanent resident* at the date of settlement or completion of construction

IF LODGING WITH THE STATE REVENUE OFFICE

Each applicant and their *spouse/partner* must provide a document from each of the four categories (four documents per person).

A single document cannot be used for more than one category.

Do not send original documents.
Only send **copies**.

CATEGORY 1

Category 1 documents for Australian citizens are:

- A copy of an Australian birth certificate.
- A copy of an Australian passport.
- A copy of an Australian citizenship certificate.

Category 1 documents for **New Zealand citizens*** are:

- A copy of their current passport, and
- A copy of their movement record.

Category 1 documents for **citizens of another country** are:

- A copy of their current passport.
- A copy of their permanent residence visa grant notice, including the date on which it was granted.

*Applicants who are New Zealand citizens must be living in Australia upon completion of the *eligible transaction*. The movement record is to be supplied as evidence of this and can be obtained from the Department of Home Affairs.

Note: At least one *applicant* must be an Australian citizen or *permanent resident* at the date of settlement or completion of construction

Identity documents submitted will be verified with their issuing authority.

IF LODGING WITH AN APPROVED AGENT

NOT APPLICABLE

IF LODGING WITH THE STATE REVENUE OFFICE

CATEGORY 2

Link between identity and person (photo and signature) — provide a copy of **one** of the following:

- Current Australian driver's licence.
- Current passport.
- Current firearms licence.
- Proof of Age card issued by the Victorian Commission for Gambling and Liquor Regulation (photo ID card).

NOT APPLICABLE

CATEGORY 3

Evidence that each *applicant* and their *spouse/partner* reside in Australia — provide a copy of one of the following:

- Medicare card.
- Current motor vehicle registration notice.
- Current Centrelink or Department of Veterans Affairs card.

NOT APPLICABLE

CATEGORY 4

Evidence of each *applicant* and their *spouse/partner's* residential address — provide a copy of one of the following:

- Utilities document showing current residential address (e.g. bills for electricity, gas, water etc.)
- Insurance policy showing current residential address.
- Other third party document which includes your name and address.

IF LODGING WITH AN APPROVED AGENT

Additional supporting evidence is required if you are:

- Married — a copy of your marriage certificate
- Divorced — a copy of your divorce certificate
- Widowed — a copy of the death certificate of your spouse/partner
- Separated — a statutory declaration containing the following information about your former *spouse/partner*:
 - their name
 - their date of birth
 - their current address (if known)
 - the date you were married or commenced your domestic relationship
 - the date you separated
 - a statement to the effect that you do not live together and have no intention of resuming your relationship
- A member of the Australian Defence Force (ADF):
 - a copy of a document issued by the ADF showing your name and that you are a permanent member of the ADF at the commencement date of the eligible transaction
 - documentation confirming your enrolment on the Victorian electoral roll

Note: Evidence of change of name is required if the name on any of the documents presented is different to the name of the applicant (e.g. change of name certificate, statutory declaration)

IF LODGING WITH THE STATE REVENUE OFFICE

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- Married — a copy of your marriage certificate
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Supporting evidence

EVIDENCE RELATING TO THE TRANSACTION

A. CONTRACT TO PURCHASE A *NEW* OR *OFF-THE-PLAN* HOME

IF LODGING WITH AN APPROVED AGENT

YOU MUST PROVIDE

FOR **NEW** HOMES:

- A copy of the exchanged contract of sale, dated and signed by all parties.
- A copy of the Building Permit and/or a copy of the Domestic Building Insurance Certificate of Insurance from your contract of sale.
- A copy of the Certificate of Occupancy.
- A written and signed statement from vendor(s) confirming the 'property (stating the address) has never been lived in and that this is the first sale of the property as a residential premises'.

FOR **OFF-THE-PLAN** HOMES:

- A copy of the exchanged contract of sale, dated and signed by all parties.

**FURTHER SUPPORTING EVIDENCE IS
REQUIRED FOR THE FOLLOWING OVERLEAF**

IF LODGING WITH THE SRO

YOU MUST PROVIDE

FOR **NEW** HOMES:

- A copy of the exchanged contract of sale, dated and signed by all parties.
- A copy of the Building Permit and/or a copy of the Domestic Building Insurance Certificate of Insurance from your contract of sale.
- A copy of the Certificate of Occupancy.
- A copy of a title search showing the applicant(s) as the registered proprietor(s).
- A written and signed statement from vendor(s) confirming the 'property (stating the address) has never been lived in and that this is the first sale of the property as a residential premises'.

FOR **OFF-THE-PLAN** HOMES:

- A copy of the exchanged contract of sale, dated and signed by all parties.
- A copy of a title search showing the *applicant(s)* as the registered proprietor(s).

**FURTHER SUPPORTING EVIDENCE IS
REQUIRED FOR THE FOLLOWING OVERLEAF**

IF LODGING WITH AN APPROVED AGENT

NOT APPLICABLE

IF LODGING WITH THE SRO

Purchasing from a related entity or associated party:

- Evidence that consideration has been paid by the applicant to the vendor. For example their loan agreement, copies of bank statements of both the vendor and applicant showing payment at settlement (deposit and withdrawal of purchase funds).
- A copy of a title search showing the *applicant(s)* as the registered proprietor(s).

NOT APPLICABLE

Nominee purchaser where you are a related or associated party to the named purchaser in the contract:

- Copy of the nomination form.

Purchasing from a deceased estate where the applicant is not related to the deceased person:

- Where you are not related to the deceased person and are not a beneficiary under the will of the deceased person, provide a statutory declaration confirming these details.

Applications for the FHOG must be lodged with the SRO directly where the applicant is related to the deceased or are a beneficiary under the will of the deceased.

Purchasing from a deceased estate where the applicant is not related to the deceased person:

- Where you are not related to the deceased person and are not a beneficiary under the will of the deceased person, provide a statutory declaration confirming these details.

Where you are related to the deceased or are a beneficiary under the will of the deceased, provide the following:

- A copy of the will and grant of probate.
- A copy of settlement statement for the estate.
- Evidence that payment of consideration by the applicant to the estate has occurred.
- A copy of a title search showing the *applicant(s)* as the registered proprietor(s).

B. CONTRACT TO BUILD A HOME

IF LODGING WITH AN APPROVED AGENT

Provide a copy of the:

- Contract to *build* that is signed and dated by all parties, and includes the contract date, price and property details.

IF LODGING WITH THE SRO

Provide a copy of the:

- Contract to *build* that is signed and dated by all parties, and includes the contract date, price and property details.
- Title search showing the *applicant(s)* as the registered proprietor(s).
- Certificate of Occupancy including the date of issue.

C. OWNER BUILDER

IF LODGING WITH AN APPROVED AGENT

Provide a copy of the:

- Evidence of the date for laying of the foundations (receipts, notice of inspection).
- Certificate of Occupancy.

IF LODGING WITH THE SRO

Provide a copy of the:

- Evidence of the date for laying of the foundations (receipts, notice of inspection).
- Certificate of Occupancy.
- *Title* search showing the *applicant(s)* as the registered proprietor(s).
- Evidence of building costs incurred by the applicant for construction of the home. Evidence submitted must total an amount equal to or greater than the grant and must not include the *applicant(s)* labour costs.

When will the grant be paid?

The date the grant is paid depends on whether you are building or buying. It also depends on whether you are applying through an approved agent or the SRO. The following table details the various scenarios.

PURCHASE OF A NEW OR OFF-THE-PLAN HOME

IF LODGING WITH AN APPROVED AGENT	IF LODGING WITH THE STATE REVENUE OFFICE
The grant will be paid at date of settlement.	The application will be reviewed within 10 working days and if all documentation has been supplied, the grant will be paid into your nominated EFT account. An application will only be considered after settlement.

CONTRACT TO BUILD

IF LODGING WITH AN APPROVED AGENT	IF LODGING WITH THE STATE REVENUE OFFICE
The grant will be paid at date of the first progressive payment.	The application will be reviewed within 10 working days and if all documentation has been supplied, the grant will be paid into your nominated EFT account. An application will only be considered after issue of the Certificate of Occupancy.

OWNER BUILDER

IF LODGING WITH AN APPROVED AGENT	IF LODGING WITH THE STATE REVENUE OFFICE
The grant will be paid on receipt of the Certificate of Occupancy.	The application will be reviewed within 10 working days and if all documentation has been supplied, the grant will be paid into your nominated EFT account. An application will only be considered after issue of the Certificate of Occupancy..

TERMS CONTRACT

IF LODGING WITH AN APPROVED AGENT	IF LODGING WITH THE STATE REVENUE OFFICE
Applications for purchases under a terms contract must be made directly to the SRO.	The application will be reviewed within 10 working days and if all documentation has been supplied, the grant will be paid into your nominated EFT account. An application will only be considered after providing evidence of possession.

Note: Payment of the First Home Owner Grant is subject to the written approval by the Commissioner of State Revenue. Your application will be returned to you if it is not fully completed or the required supporting evidence is not attached.

When do I have to move in by and for how long?

- At least one *applicant* must live in the home as their principal place of residence for **at least 12 continuous months** commencing within 12 months of *completion of the eligible transaction* (residency requirement).
- It is the responsibility of the *applicant* to satisfy the *Commissioner* that they have met the residency requirement. Applicants may be required to verify this later by providing evidence supporting their period of occupancy.
- Should you not meet the residency requirement, you must notify the *SRO* in writing within 14 days of the *notifiable event*, and repay the grant.

Terms used

APPLICANT

The person applying for a grant who, on completion of the purchase of a *home* or construction of a new home, will own or hold a *relevant interest* in the land on which the home is built.

APPROVED AGENT

An organisation approved by the SRO that is authorised to process applications for the First Home Owner Grant.

COMMENCEMENT DATE OF THE ELIGIBLE TRANSACTION

Date of contract to purchase or build a home, or for an *owner builder* it is the date the foundations commenced being laid.

COMMISSIONER

Commissioner of State Revenue Victoria.

COMPLETION OF THE ELIGIBLE TRANSACTION

When the *applicant* is entitled to possession of the property under the contract, or the building is ready for occupation as a place of residence and (except for *terms contracts*) the *applicant* is registered on the Certificate of Title.

CONTRACT TO BUILD

A comprehensive building contract where a builder agrees to build a *home*, from the time the building starts to when it is finished and ready for occupation.

CONSIDERATION

Purchase price or cost of construction of the *home*.

ELIGIBLE TRANSACTION

Contract for the purchase of a *newly built home*, *contract to build a home* or construct a *home* as an *owner builder* on or after 1 July 2013.

HOME

A building affixed to land that may be lawfully used as a place of residence and is, in the *Commissioner's* opinion, suitable for use as a place of residence.

NATURAL PERSON

A person (not a company or trust).

NEW HOME

A *new home* means a home that has not been previously occupied or sold as a place of residence or for the provision of short-term accommodation, and includes a substantially renovated home and a home built to replace demolished premises.

NOMINEE PURCHASER

An *applicant* for the grant who was not a party to the contract of sale, but who was nominated by the purchaser to take a transfer of the property.

NOTIFIABLE EVENT

When any part of the eligibility criteria is not met, the *applicant(s)* **must notify the Commissioner within 14 days of the event.**

An example would be where an *applicant* is not able to occupy the *home* as their *principal place of residence* within 12 months of *completion of the eligible transaction*.

OFF THE PLAN

A contract for the purchase of the *home* on a proposed lot in an unregistered plan of a subdivision of land.

OWNER

A person who has a *relevant interest* in land on which a *home* is built.

OWNER BUILDER

An *owner* of land who builds a home or has a *home* built, on the land without entering into a *contract to build*.

PERMANENT RESIDENT

A person who holds a permanent residency visa under Section 30 of the *Migration Act 1958* (Cth) or a New Zealand citizen who is the holder of a special category visa under Section 32 of the *Migration Act 1958* (Cth).

RELATED OR ASSOCIATED PARTY

A person is related to or associated with another party when:

- (i) one is the spouse/partner of the other, or
- (ii) they are related by blood, marriage or adoption, or
- (iii) they are a shareholder or director of the other party, being a company, or
- (iv) they are a beneficiary of a trust for which the other party is a trustee, or
- (v) the transaction is otherwise not at arm's length.

RELEVANT INTEREST

A person with a *relevant interest* may be described as someone who will have a legal entitlement to occupy the home being bought or constructed. Usually this will be the person(s) registered as proprietor on the title. This commonly is an estate

in fee simple. Other forms of interest are defined in the *First Home Owner Grant Act 2000*. Each person acquiring a *relevant interest* must be an *applicant* on the application form.

RESIDENTIAL PROPERTY

Land in Australia on which there is a *home* which is lawfully occupied or suitable for occupation. This includes houses, townhouses, units, flats, duplexes, converted warehouses and fixed moveable homes.

SPOUSE/PARTNER

A person is a spouse of another if they are legally married to each other. A person is a partner of another if they are in a domestic relationship regardless of gender.

SRO

State Revenue Office of Victoria.

TERMS CONTRACT

A contract of sale where the purchaser has to make two or more payments (excluding the deposit) to the vendor after the contract is signed by all parties.

The *applicant* as the purchaser must be in possession under the contract and cannot be registered on title until the final payment is made to the vendor.

TITLE SEARCH

A search on the land which shows the names of the registered owners. A title search can be obtained from the **Department of Environment, Land, Water and Planning** (Land Use Victoria).



Guide to completing the application

The **First Home Owner Grant application form** has nine sections. These sections must be completed as follows:

1. ELIGIBILITY CRITERIA

Answer Questions 1 to 7 by ticking the relevant 'Yes' or 'No' box.

The answers are designed to establish that the applicant(s) for the grant meets the eligibility criteria.

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

In exceptional circumstances, the *Commissioner* may use discretion relating to the eligibility criteria. Please contact the SRO for further information.

All decisions relating to the eligibility of an applicant are made by the *Commissioner*.

2. APPLICANT DETAILS

Detail the number of persons with a relevant interest. All persons who have, or will have, a relevant interest in the property must record their details in this section.

If there are more than two applicants, an additional application will need to be completed and attached.

If an applicant has a *spouse/partner*, there are two options. If your *spouse/partner* is an applicant, they must complete this section. If your *spouse/partner* is not an applicant, their details must be recorded within section 4.

Please nominate a postal address for correspondence to be sent on behalf of all applicants.

3. AUSTRALIAN DEFENCE FORCE EXEMPTION

Australian Defence Force personnel do not have to meet the residency requirement. This section only needs to be completed if an applicant wants to claim the exemption.

4. SPOUSE/PARTNER DETAILS

This section must be completed by the applicant in relation to their *spouse/partner* who has not already been specified as an applicant in section 2. If this section is required to be completed the *spouse/partner* must complete the declaration in section 8.

5. PROPERTY AND TRANSACTION DETAILS

Provide the current title (volume and folio numbers) details of the property. These can be obtained from the transfer of land form, a title search or the contract of sale. If unknown, enter the parent title details.

Provide the expected 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 must occupy the home as their principal place of residence for a continuous period of at least 12 months, commencing within 12 months of completion of the eligible transaction.

Penalties

6. PAYMENT DETAILS

Applicants must complete this section only if applying through the SRO. 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 account. Provide details of the name of financial institution, account name, BSB and account number. Failure to provide correct details will cause delays in payment of the grant.

7. DECLARATION BY APPLICANT

All applicants must read and understand all details on the application form before signing the declaration.

8. DECLARATION BY SPOUSE/ PARTNER

If an *applicant's spouse/partner* is not an *applicant*, they must read and understand all details on the application form before signing the declaration.

9. SUPPORTING DOCUMENTATION CHECKLIST

Please supply the required documents with your application and tick off the documents attached. Failure to produce the required documentation may result in processing delays.

The SRO, as part of its role in administering the *First Home Owner Grant Act 2000*, conducts ongoing investigations to ensure that applicants comply with the conditions of the Act.

If *applicants* receive the grant when they are not entitled, or do not comply with the residency requirement, penalties and interest may be imposed. The amount of any penalty which may apply is dependent on the circumstances of each case and is in addition to having to repay the grant. In some circumstances the penalty applied is equal to the amount of the grant received.

MAKING A FALSE OR MISLEADING STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

It is an offence for a person to make a false or misleading statement in or in connection with an application for a grant. If it is determined that a person has made such a statement they may be prosecuted.

All applications undergo a rigorous review where *applicants* are checked for former home ownership in Victoria and interstate. Other checks into spouse/partner status, council records, title details and finance particulars are undertaken on a routine basis.

The information in this lodgement guide is for general guidance only. It should not be relied upon to address every aspect of the *First Home Owner Grant Act 2000*.





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