



The Gifting of Assets Policy

Policy Intent

Housing Tasmania provides assistance to low income Tasmanians in the form of public housing. To ensure that those with the most need are assisted an asset test is applied. Some applicants may intentionally try to make themselves eligible by gifting assets. This policy is to ensure gifting is not used as a way of avoiding eligibility processes and gaining entry into public housing.

What is Gifting?

Gifting of assets occurs when clients transfer assets for less than their market value and do not receive adequate consideration for the gift or transfer (in the form of money, goods or services).

What are assets?

The following are classified as assets:

- Cash;
- Savings;
- Shares, bonds and investments;
- Lump sum payments;
- Net fixed assets of a business;
- Superannuation funds that have been realised; and/or
- Real Estate.

What is excluded as an asset?

Payments excluded from financial assets eligibility include:

- Criminal injuries compensation payments;
- Ex-gratia payments to victims of abuse in state care; and
- Federal government one-off payment of \$25 000 to widows of surviving Australian servicemen who were taken prisoner by Korean forces during the Korean conflict.

Superannuation

Applicants for public rental housing with money invested in superannuation often exceed the assets level and as such would be ineligible for assistance. However, these applicants are often in receipt of a Commonwealth benefit and may not be able to access their funds.

Funds invested in roll over superannuation funds are excluded from the assets eligibility limit until the monies are realised. Verification of financial assets can be a bank statement, statement from a building society, legal firm, credit union or a Statutory Declaration.

Assets such as cars, small boats, paintings and jewellery are not included in the eligibility assessment process.



What penalties apply when Housing Tasmania identifies a case of gifting?

Where Housing Tasmania is able to identify that gifting has occurred and the amount is over the social eligibility assets levels clients will be eligible to apply for public housing but will have their application suspended for a six month period. The suspension period seeks to address the inequity of clients trying to avoid the eligibility process.

If the suspension period ends and Centrelink are still reducing the client's income then the client will have their income deemed to what it should be if they hadn't given away assets for the purposes of rent setting.

For further information relating to this policy please email the helpdesk housing.policyhelpdesk@dhhs.tas.gov.au