

### Information Privacy Act 2000

All information collected by the SRO is protected by secrecy provisions in Acts administered by the SRO and in addition, personal information you provide to the SRO is protected by the Information Privacy Act 2000. Any information collected from you is only used for the purposes of the Acts administered by the SRO. Information (including personal information) is not disclosed to third parties unless authorised by law, or with your consent.

First Home Owner Grant Act 2000

# First Home Owner Grant

The Victorian Government is helping first home buyers to buy or build a home through the \$7,000 First Home Owner Grant (FHOG). Use this form to apply for the FHOG.

## WHAT HOMES QUALIFY?

A new or established dwelling including a house, flat, unit, townhouse or apartment anywhere in Victoria that meets local planning standards. A houseboat, vacant land or mobile home is not eligible. The dwelling must be occupied as your principal place of residence for a continuous period of at least 6 months commencing within 12 months of the date of settlement in the case of an established home or, the date construction is completed in the case of a new home. The contract to purchase an established home or to build a new home must be signed on or after 1 July 2000.

## HOW DO I APPLY?

Applicants can complete and lodge an application form with either an approved agent, which includes approved financial institutions, or the State Revenue Office of Victoria. You are only able to complete and lodge an application form with a financial institution when you are borrowing funds from that financial institution, as part of buying or building your home. You need to apply within 12 months of settlement or completion of construction.

A complete list of approved First Home Owner Grant agents is available on the State Revenue Office Website - [www.sro.vic.gov.au](http://www.sro.vic.gov.au).

### Supporting Documentation

If applying via an **Approved Agent** the following documents are required:

1. The completed application form.
2. a. The original fully executed Contract of Sale or Contract to Build.  
b. For owner builders, the original Certificate of Occupancy and proof of the date of laying of the foundations, such as the receipt/invoice for the concrete, evidence from local council or some other evidence.

**Note:** Nominee purchaser - if you did not sign the contract of sale but were nominated by the purchaser to take a transfer of the property, you will have to provide evidence that you provided valuable consideration for the purchase. This can take the form of:

- evidence of payment of purchase monies by the nominee (copies of bank cheques, bank statements etc.)
- evidence of a mortgage given by the nominee over the property;
- evidence that the nominee is a party to a loan agreement in respect of the property.

If applying via the **State Revenue Office of Victoria** the following documents are required:

*Note: All original supporting documentation will be returned to applicant 1 at the address for service of notices upon completion of processing.*

1. The completed application form.
2. Photographic proof of identity (certified copy).
3. The original fully executed Contract of Sale or Contract to Build (no photocopies).
4. a. For an established home and a new home, a photocopy of the fully executed transfer of land form showing stamp duty paid, or, where the grant is to be offset against the stamp duty payable, the original fully executed transfer of land form.

*Note: Transfers between related parties will have to provide a photocopy of the fully executed transfer of land form showing duty paid and the Land Registry Victoria Dealing number.*

- b. For Contracts to Build a certified copy of the Certificate of Occupancy
- c. For owner builders, a certified copy of the Certificate of Occupancy and proof of the date of laying of the foundations, such as the receipt/invoice for the concrete, evidence from local council or some other evidence.
5. Nominee purchaser - if you did not sign the contract of sale but were nominated by the purchaser to take a transfer of the property, you will have to provide evidence that you provided valuable consideration for the purchase. This can take the form of:
  - evidence of payment of purchase monies by the nominee (copies of bank cheques, bank statements etc.)
  - evidence of a mortgage given by the nominee over the property;
  - evidence that the nominee is a party to a loan agreement in respect of the property.

### Certified Copies

A copy of an original that has been sighted by an authorised person and who has noted on the copy that it is a true copy of the original which has been produced and shown to the person certifying. An authorised person includes: A member of the police force, a councillor of a municipality, a medical practitioner, a dentist, a veterinary practitioner, a pharmacist, a minister of religion, a legal practitioner, a school principal or an accountant.

### Partner

If your partner is also an applicant, their details need to be completed under the Section 2 details of the form. If your partner is not an applicant, their details must be recorded in Section 3 of this application.

## WHEN WILL THE GRANT BE PAID?

### If applying via an approved agent (Financial Institution)

|                              |                                                                              |
|------------------------------|------------------------------------------------------------------------------|
| <b>Established home</b>      | payment will be at settlement.                                               |
| <b>Contract to Build</b>     | payment will be at the time of the first progressive payment to the builder. |
| <b>Owner builder</b>         | payment will be on receipt of the Certificate of Occupancy.                  |
| <b>New home</b>              | payment will be at settlement.                                               |
| <b>Purchase off-the-plan</b> | payment will be at settlement.                                               |

### If applying via the State Revenue Office of Victoria

|                              |                                                            |
|------------------------------|------------------------------------------------------------|
| <b>Established home</b>      | payment will be after settlement.                          |
| <b>Contract to build</b>     | payment will be after Certificate of Occupancy/Completion. |
| <b>Owner builder</b>         | payment will be after Certificate of Occupancy/Completion. |
| <b>New home</b>              | payment will be after settlement.                          |
| <b>Purchase off-the-plan</b> | payment will be after settlement.                          |

Payment may take up to 14 days to process through the SRO

# First Home Owner Grant

## IMPORTANT DEFINITIONS

### Applicant(s)

A person or persons who, on completion of the purchase or construction of the home, will be an owner of that home.

### Consideration

Purchase price or cost of construction of the home.

### Established home

A building affixed to the land that may lawfully be used as a place of residence.

### New home

A building affixed to the land that may lawfully be used as a place of residence, that has never been occupied as a residence, including occupation by the builder, a tenant or any other occupant.

### Purchase off-the-plan

A contract, not being a comprehensive building contract, for the purchase of a land and building package where construction has not been completed at the date of the contract of sale. (For example, House and Land package.)

### Contract to build

A comprehensive building contract under which a builder agrees to build a complete home from the start of building to when it is ready for occupancy.

### Owner-builder

An owner of land who builds a home, or has a home built, on their land without entering into a comprehensive building contract.

### Home owner

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

### Relevant interest

A person with a 'relevant interest' can be described generally as someone who will have a legal entitlement to the home being purchased or constructed. Normally, this will be the person(s) listed on the title. Other forms of relevant interest are defined in the *First Home Owner Grant Act 2000*. Each person with a 'relevant interest' must be listed as an applicant on this form.

### 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 of State Revenue. For example, when the residency requirement is not met.

### Residential property

Land on which there is a building which is a lawfully occupied residence or suitable for occupation as a residence.

### Natural person

A person, not a company.

### Permanent resident

Holder of a permanent visa. This includes New Zealand citizens holding a special category visa under Section 32 of the *Migration Act 1958*.

### Partner

A partner of a person is a person's spouse or their domestic partner.

### Domestic Partner

A domestic partner of a person means a person to whom the person is not married but with whom the person is living as a couple on a genuine domestic basis (regardless of gender).

### Spouse

A person is a spouse of another if they are legally married to each other.

## PENALTIES

***There are substantial penalties for making false or misleading statements in or in connection with an application.***

The State Revenue Office of Victoria, as part of its role in administering the *First Home Owner Grant Act 2000* has the authority to conduct regular investigations to ensure that applicants comply with the Act. The following penalties may be imposed:

- A penalty of up to \$6,000 for making a false or misleading statement in or in connection with an application for a first home owner grant as specified in the *First Home Owner Grant Act 2000*.
- A penalty of up to \$7,000 may be imposed by the Commissioner as a result of an applicant's dishonesty where an amount is paid by way of a first home owner grant, along with repayment of the grant pursuant to the Act.
- A penalty of up to \$7,000 may also be imposed where an applicant fails to repay an amount under the Act.
- Interest is payable on any required repayment which is unpaid or on any unpaid penalty, calculated on a daily basis from the last day of payment until the amount or penalty is paid at the rate applicable under the *Taxation Administration Act 1997*.

## APPEALS PROCESS

You can lodge a written objection to the decision made by the Commissioner of State Revenue on the application.

Please forward your objection together with relevant supporting documentation to the Review Branch of the SRO within 60 days after the date of decision.

### By correspondence

State Revenue Office, GPO Box 1641N, MELBOURNE VIC 3001

### In person

State Revenue Office, Ground Floor, 505 Little Collins Street, Melbourne

### Internet

[www.sro.vic.gov.au](http://www.sro.vic.gov.au)

### Email

[sro@sro.vic.gov.au](mailto:sro@sro.vic.gov.au)

### Telephone

13 2161

### Facsimile

03 9628 6851