

# Guideline

*First Home Owner Grant Act 2000*

## About the First Home Owner Grant (FHOG) and the First Home Builder Boost (FHBB)

*This guideline applies for transactions entered into up to and including 31 December 2015. For information on transactions entered into after that date, please refer to the [First Home Owner Grant - Guideline](http://www.sro.tas.gov.au), available at [www.sro.tas.gov.au](http://www.sro.tas.gov.au).*

### For owner builders

#### What is the FHOG?

The FHOG is a one-off payment for eligible first home buyers/builders. Between 1 July 2000 and 30 June 2015 the base FHOG payment for eligible applicants is \$7 000. From 1 July 2015 onwards the base FHOG payment for eligible applicants is \$10 000.

#### Eligibility for the FHOG

To be eligible for the FHOG, you (and your spouse/partner) must:

- be a natural person (not a company);
- be at least 18 years of age;
- be an Australian citizen or permanent resident;
- not have owned a home in Australia before 1 July 2000;
- not have owned and occupied (for more than 6 months) a home in Australia after 1 July 2000;
- occupy the home as your principal place of residence for a continuous period of 6 months commencing within 12 months of the date a certificate of occupancy is issued;
- not have received the FHOG before; and
- not have entered into a contract to purchase or build a home before 1 July 2000, or not commenced construction as an owner builder prior to that date.

An eligibility checklist is included in the FHOG application form to assist you to determine if you may be eligible.

## What is the FHBB?

The FHBB is an increased FHOG payment, available to eligible owner builders of new homes.

The amount of the FHBB varies depending on when you commence building your new home.

Providing all eligibility criteria are satisfied, for homes commenced between:

- 1 January 2013 and 6 November 2013 (inclusive), an FHBB of \$15 000 is available;
- 7 November 2013 and 31 December 2014 (inclusive), an FHBB of \$30 000 is available;
- 1 January 2015 and 31 December 2015 (inclusive), an FHBB of \$20 000 is available.

## Eligibility for the FHBB

To be eligible for the FHBB you must satisfy all of the eligibility criteria for the FHOG in Tasmania. Additionally, the following criteria must be met:

- you must commence building your home during the period between:
  - 1 January 2013 and 6 November 2013 (inclusive) for the \$15 000 FHBB;
  - 7 November 2013 and 31 December 2014 (inclusive) for the \$30 000 FHBB;
  - 1 January 2015 and 31 December 2015 (inclusive) for the \$20 000 FHBB.
- Building of your home is taken to have commenced once the foundations have been laid. This means when concrete foundations are poured and piers are completed. If no foundations are being laid because of the nature of the building you should contact the Commissioner of State Revenue to determine the 'commencement of building' date; and
- building of your home must be completed within 24 months of construction commencing. Building is taken to have been completed at the time an occupancy certificate is issued by the local Council.

## What happens if building commencement or completion occurs outside the specified time frame?

Provided you have good reasons for not commencing or completing building works within the specified time frames you can apply to the Commissioner of State Revenue to exercise discretion to extend the period in which you were required to comply. For further information refer to the document [First Home Owner Grant - Commissioner's Discretions Guideline](#).

## What Homes Qualify

To qualify for the FHOG and FHBB in Tasmania, the home you build must:

- be located in Tasmania;
- be fixed to your land; and
- meet local planning standards.

Each State and Territory has its own FHOG legislation. If you are building your home in another State or Territory you will need to apply for the FHOG there. Links to other Revenue Office websites are available at [www.firsthome.gov.au](http://www.firsthome.gov.au).

## Residency Requirements

### Do I have to live in my home?

To qualify for the FHOG and FHBB, you (and all other applicants for the grant) must:

- move into the property to which the FHOG/FHBB applies within 12 months of the date of your occupancy certificate; and
- occupy and retain ownership of that property for a continuous period of at least six months. This means that the residence must be the place at which you usually eat and sleep – leaving personal property at a vacant residence will not meet this condition.

### What if I can't meet the residency requirements?

You must notify the State Revenue Office (SRO) and repay the FHOG and FHBB within 14 days of the date you become aware you cannot meet the residency requirements.

The SRO routinely checks that residency requirements have been met. There are fines and penalties for non-compliance.

In exceptional circumstances (that is, those outside the control of the applicant) the Commissioner of State Revenue has the discretion to:

- extend the 12 month period in which you must commence occupying your home;
- reduce the 6 month period for which you must occupy your home; or
- exclude one or more of the applicants (but not all applicants) from the requirement to comply with the residency requirement.

Requests to vary the period of occupancy cannot be considered after a decision has been made to recall the FHOG.

For more information, go to the [First Home Owner Grant Commissioner's Discretion Guideline](#).

## Applying for the FHOG/FHBB

### How do I apply?

The FHOG is administered by the SRO. To apply for the FHOG you must complete the [FHOG application form](#) available at [www.sro.tas.gov.au/fhog](http://www.sro.tas.gov.au/fhog).

FHOG/FHBB application forms are also available from and can be lodged at:

- financial institutions that are approved agents; or
- Service Tasmania.

Your financial institution will only process your application **if you are borrowing funds with them**. Check to see if your financial institution is an approved [FHOG agent](#).

## What do I need to provide with my application?

You will need to supply some supporting documentation (including proof of identity in some cases), and these will vary depending on where you lodge your application. The documents you need to provide are listed on the application form.

## After you apply for the FHOG/FHBB

### How will I know if I am eligible for the FHOG/FHBB?

You will receive a letter from the SRO advising whether your application has been approved. This will be within ten business days of your application (and any other supporting documents) being lodged.

### How will payment of the FHOG/FHBB be made?

The SRO will make payment:

- as instructed by your financial institution; or
- according to the instructions you provide (if you apply through Service Tasmania, a solicitor or a conveyancer).

### When will payment of the FHOG/FHBB be made?

Payment is usually made on receipt of an occupancy certificate, proof of completion or proof of construction for your home.

### What if my application is not approved?

If your grant application is refused and you do not agree with the Commissioner's decision, you can lodge an objection. You must lodge this within 60 days of the date on the letter advising you of the decision.

Before lodging an objection you should read about [Objections, Reviews and Appeals Public Guideline](#) at [www.sro.tas.gov.au](http://www.sro.tas.gov.au).

### What if I find I should not have received the FHOG or FHBB?

If you think that you should not have received the FHOG or FHBB, you must write to the SRO to explain why, and repay the funds you have received.

## Other Assistance for First Home Owners

### Land Tax – Principal Residence Land Classification

The Principal Residence Land classification (meaning that no land tax is payable) can be applied to your property once you have commenced occupying it and using it as your main place of residence.

Where your property is classified as principal residence land as at 1 July of a financial year, a zero rate of land tax is applied for that year.

A land tax rebate is also available for a financial year where you:

- are the owner of the land as at 1 July of the financial year; and
- commence occupying the property as your principal place of residence during the financial year.

To apply for the classification and the land tax rebate complete the [Application to Change Land Use online form](#) available at [www.sro.tas.gov.au](http://www.sro.tas.gov.au).

### The SRO's audit program

The SRO audits all FHOG/FHBB applications. The Act provides for and it is a condition of receiving the grant that if we contact you about an audit you must provide all the information we request. The SRO also conducts regular audits of land tax accounts to ensure that properties are classified correctly. It is important that you advise the SRO if you cease to use your property as your principal place of residence.

You may be required to repay the FHOG and FHBB, pay any tax that you should have paid, or may have penalties imposed if:

- you do not provide all the information requested by the SRO during an investigation;
- you provide false or misleading information to the SRO; or
- the SRO finds you should not have received the grant or a Principal Residence Land classification.

### More information and assistance

Email:	<a href="mailto:fhogs@treasury.tas.gov.au">fhogs@treasury.tas.gov.au</a>
Telephone:	(03) 6166 4400 (weekdays, 9:00am to 5:00pm) or 1800 001388
Website:	<a href="http://www.sro.tas.gov.au">www.sro.tas.gov.au</a>
In person:	Ground floor Salamanca Building Parliament Square 4 Salamanca Place HOBART TAS 7000 (weekdays, 9:00am to 5:00pm)
Mail:	The Commissioner of State Revenue GPO Box 1374 HOBART TAS 7001