Frequently Asked Questions
Registration under State Based Registration System for local government

State Based Registration System

The registration system ensures community housing providers meet national service standards and obtain registration to continue their funding arrangements with the Department of Housing and Public Works (the department).

Will the department fund the cost to register under the State Based Registration System to Council?

No, the department (being the funder and Regulatory Services – formerly known as the Office of the Registrar) are not contributing to any registration, compliance or exit costs.

In practice, providers have used program funds or the proceeds from program funds (such as rent receipts) to fund their registration activities. It is reasonable to assume on the basis of anecdotal evidence, that provider expenses in this regard will be increased. The Surplus Funds and Allowable Expenses Policy on the department’s website for community housing providers indicates these expenses are allowable.

What are the timeframes for ending the funding relationship by purchasing stock outright or by other means?

The timeframes for ending the funding relationship are established by legislation, and have been extended. Councils must obtain a registration decision or end the funding relationship by 30 June 2017.

Because of the complex issues surrounding registration, land tenure and Indigenous housing, Indigenous local governments and specified Indigenous Community Housing Organisation will have a transitional extension by four years to 30 June 2019.

If you would like to end the funding relationship by purchasing your stock outright or any other means, please contact Housing and Homelessness Services to clarify your contingent liability and arrange for the termination of existing funding agreements.

Please note that Housing and Homelessness Services is willing to consider negotiating different arrangements for different properties.

For example, you may wish to pay out your contingent liability on several properties but hand others back or seek approval to pay out the contingent liability over time.
Are pre-1996 contractual arrangements affected by the changes to the
Housing Act 2003?

Pre-1996 agreements that are still in force are not affected by the changes to the Act and do not trigger the requirement to obtain registration.

Can local government nominate an alternative local housing provider?

The asset disposal provisions of the Regulation give councils the option to transfer community housing assets to an alternative non-government provider – but this must be done with the approval of the State.

Can local government obtain a summary of stock that is funded for a specific council?

Council will need to discuss this with Housing and Homelessness Services directly, via their Contract Manager.

Can the State provide to council a contingent liability for each property?

The State provides contingent liability figures on request. In order for the department to provide contingent liability figures for council assets, current valuations (within the last six months) are required. The valuations need to show the land and improvements separately.

Can the land value be assessed by the rates valuation conducted by Department of Natural Resources and Mines?

As an independent valuation is required, the valuer will make their own judgment on the land value based on available sales evidence and will not rely on the State Valuation Service valuations undertaken for rating and taxation purposes.

Will compensation be provided if stock is on freehold land?

The transfer of property on freehold land is legally complex. Councils will need to discuss this with Housing and Homelessness Services and are encouraged to seek independent legal advice if they have any concerns.

Can the department provide an assurance that a high level of service will be maintained if stock is handed back to the State?

State based registration is designed to ensure a good standard of service delivery by registered community housing providers.

The department will only give funding for social housing services to registered providers, as per the Housing Act 2003.

Is there an incentive for local governments to maintain a housing provider role?

Housing and Homelessness Services is able to discuss with councils what the demand profile for social housing looks like in their local government areas.
COUNCILS WILL NEED TO DECIDE WHETHER HOUSING IS IMPORTANT BUSINESS FOR THEM, AND DISCUSS WITH HOUSING AND HOMELESSNESS SERVICES WHAT SERVICE DELIVERY COULD LOOK LIKE IN THEIR AREAS IF THEY ARE CURRENTLY THE ONLY PROVIDER IN THE AREA AND ARE CONSIDERING EXITING THE SOCIAL HOUSING SYSTEM. IT IS IMPORTANT TO NOTE THAT OBTAINING REGISTRATION DOES NOT GUARANTEE FUTURE FUNDING.

**Extending transitional period**

Some providers and Councils are still in the process and/or exploring options such as creating partnerships and mergers or exiting the system.

More time was needed to allow organisations to complete the registration process or exit the process, that's why there has been an extension to the transitional period.

The transitional period for non-government providers and local governments has been extended by two years to 30 June 2017.

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**Completing the process to registration or exit**

Providers who applied for registration by 31 December 2014 now have more time to complete the registration process, including the opportunity to address any gaps in their applications. For those providers that are exiting, it will mean more time to negotiate a preferred exit option.

**Contact us**

For any questions about your application, please phone your Regulatory Services Analyst or email NRS-Housing-Registrar-QLD@hpw.qld.gov.au. For information about your funding options please phone your Housing and Homelessness Services Contract Manager.