



National Rental Affordability Scheme

Guidelines for Completing an Investor Application to Transfer an Allocation to another Approved Participant

When to use this form

These guidelines must be used in conjunction with the *Investor Application to Transfer an Allocation to another Approved Participant* (the application form), to make an application requesting the Secretary to transfer an allocation attached to an approved rental dwelling from one approved participant to another.

Who fills out the form?

The investor/s, that is the legal or beneficial owner/s of the approved rental dwelling, must complete the application form. The legal or beneficial owner/s may be an individual, company, trust or superannuation fund. The Department will not consider applications completed by any other parties.

Please note: Investors must complete one application per allocation they wish to transfer.

Providing Proof of Identity

The Department requires investors to demonstrate proof of identity such as a driver's licence as part of the application process. The Department reserves the right to request further proof of identity prior to proceeding with an application.

If the legal or beneficial owner is a company, trust or superannuation fund, the Department requires evidence of the relevant registration for the entity along with proof of identity for the director/s, trustee/s etc.

Providing Proof of Ownership

The Department requires investors to demonstrate proof of ownership such as title search or rates notice as a part of the application process. The Department reserves the right to request further proof of ownership prior to proceeding with an application.

Grounds for Requesting a Transfer of Allocation

The grounds on which the Secretary can make a decision to transfer an allocation from one approved participant to another are detailed in regulation 21A of the [National Rental Affordability Scheme Regulations 2008](#).

The grounds on which the Secretary can make a decision to transfer an allocation include:

- the approved participant has failed to comply with a condition of the allocation
- the approved participant has failed to pass on the NRAS incentive to the investor, where there is a contractual arrangement to do so, within a reasonable time after receiving the incentive
- the approved participant provided false or misleading information about the Scheme to the investor in relation to the investor's approved rental dwelling
- the conduct of the approved participant in relation to the allocation has contravened a consumer protection law
- the approved participant claimed the tax offset for the investor's approved rental dwelling, when it was not entitled to do so
- the approved participant is likely to be de-registered as a company by the Australian Securities and Investments Commission or a court has ordered the de-registration
- the approved participant becomes bankrupt

- any application under the Regulations by the relevant approved participant included false or misleading information or fails to include information the approved participant knew or ought reasonably to have known was relevant

If an investor believes any of these grounds exist it will be incumbent on them to put forward a case to the Department to support their claim the allocation should be transferred. This will include providing relevant documentary evidence to support the grounds for requesting the transfer including any evidence of a contractual arrangement between an investor and the approved participant the allocation is made to.

Important Notices

Prior to submitting an application to transfer the allocation attached to their approved rental dwelling to another approved participant, the Department strongly recommends investors seek legal advice in relation to any exit fees they may incur as a result of terminating their contractual arrangements with their 'old' approved participant, should the Secretary approve the transfer.

An application to transfer an allocation in no way guarantees the Secretary will agree to transfer the allocation attached to an investor's approved rental dwelling to another approved participant. If an investor enters into a contractual arrangement with another approved participant, for the compliance and/or tenancy management of their approved rental dwelling, based on the assumption the Secretary will approve the request, the investor does so at their own risk.

If the Secretary decides not to transfer the allocation, and an investor is concerned about the administrative process that led to that decision, the investor is able to make a complaint to the Commonwealth Ombudsman. Please note that the Ombudsman is not able to overturn a decision by the Secretary not to transfer the allocation

Submission and Attachments

Once completed, please submit your application form and all supporting evidence identified in this form to nras@dss.gov.au

If you are unable to submit your application form and supporting evidence via email, please post this documentation to **NRAS – Payments, Compliance and Transfers, Department of Social Services, GPO Box 9820, Canberra ACT 2601.**

Please Note: In order to process an application the Department requires all relevant evidence to support the grounds for transfer. Failure to provide sufficient evidence in relation to any ground(s) raised in an application may reduce the likelihood of the application proceeding or the Secretary transferring the allocation attached to your approved rental dwelling to another approved participant.

In assessing your application, the Department may contact you and seek answers to questions or request additional documents eg proof of identity, proof of ownership or documentary or other evidence to support the ground/s for transfer. Your answers and documents may also be considered by the Secretary in determining your application.

Providing false or misleading information or documents is a breach of Section 137.1 and 137.2 of the Criminal Code.