



First Home Benefits Residence Requirements

This factsheet explains the residence requirements you must meet in order to keep the benefits you received when buying your first home. It also outlines what will happen if you do not satisfy these requirements.

Benefits for first home buyers are provided under First Home Plus (FHP) and the First Home Owners Grant Scheme (FHOGS). FHP provides an exemption or concession on the transfer duty of your home to eligible applicants. FHOGS includes several benefits such as the First Home Owner Grant, the Australian Government's First Home Owner Boost and the NSW Government's New Home Buyers Supplement.

What are the residence requirements for First Home Benefits?

At least one benefits recipient must live in their first home as their principal place of residence, for a continuous period of at least six months, commencing within 12 months of settlement or completion of construction of the home.

This is in accordance with the *First Home Owner Grant Act 2000* and the *Duties Act 1997*.

Meeting the residence requirements:

We check all applications to ensure the residence requirements have been met.

The onus is always on the applicant(s) to prove, when requested by us, they have lived in their first home as their principal place of residence within the specified period.

What happens if I am unable to move into my first home, or I wish to rent it out?

You may rent out your first home before you move in, provided that you occupy it as your principal place of residence within the specified 12-month period.

You may wish to contact us to discuss your situation if:

- you believe you are not eligible for First Home Benefits and need to repay the grant and/or duties exemption/concession
- you would like more information about the residence requirements
- you do not think you will be able to meet the residence requirements
- your circumstances have changed and you would like to know what options are available to you
- circumstances beyond your control prevent you from meeting the residence requirements.

Note: This will not include rental agreements.



MORE INFORMATION



www.osr.nsw.gov.au



1300 130 624
8:30 am – 5:00 pm
Monday to Friday



first.home.benefits@osr.nsw.gov.au

Help in community languages is available.

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What happens if I am unable to meet the residence requirements?

If you are unable to move into your new home at all due to circumstances outside your control, you should apply to the Chief Commissioner for consideration of waiving the residency requirement, as soon as you are aware of such circumstances.

If you are unable to meet the residence requirements and you have not come to an alternative arrangement with us, then within 14 days of the end of the 12-month period, you must:

- give written notice of this fact to the Chief Commissioner, and
- return the benefits to the Chief Commissioner.

If we establish that you have not met the residence requirements and not repaid these benefits, we will contact you and issue assessments to recover the amount payable. Penalties of up to 100 per cent and interest of up to 11.30 per cent may be imposed.

You may eligible to reapply for benefits under the FHOGS in the future even if you do not meet the residence requirements for your current application. To be able to do this, you must advise us of your situation and repay the grant in full.