Submission Cover Sheet

Inquiry into Home Buyer Concession Scheme Administration

Submission number: 021

Submitter: Name Withheld

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From: [redacted]
To: LA Committee - PAA
Subject: Submission to Inquiry - Home Buyer Concession Scheme
Date: Friday, 29 August 2025 9:28:35 PM

[redacted]

Dear Committee Secretary

I wish to make the submission below to the Inquiry into Home Buyer Concession Scheme Administration.

My personal details are as follows, although please note that I do not wish them to be made public in any way.

[redacted]

Please let me know if you need further information.

Best wishes

[redacted]

Submission to the Inquiry

I am writing to outline my experience with the Homebuyers Concession Scheme, specifically regarding a Personal Relationship Transfer Exemption from stamp duty that I was later deemed ineligible for.

I applied for the exemption based on legal advice received during my separation from my husband in 2022. He wished to remain in the home we owned jointly and pay me fifty percent of the equity. At the time, I was working part-time and was not in a financial position to do the reverse.

My lawyer advised that if we obtained binding financial consent orders formalising this arrangement, I should be eligible for a stamp duty exemption when purchasing a property. I was also advised that obtaining a divorce was not a prerequisite for the exemption, although there were caps on the purchase price and the applicant's income.

I took a one-year lease on a rental property and moved out of the home we had co-owned. As the lease came to an end and the financial consent orders were finalised, I decided to purchase a home. I didn't want to rent long-term and risk being priced out of the property market. I purchased my home in October 2023.

On 25 September 2024, I received a notice requesting information about my eligibility, which I provided by the 9 October deadline. On 31 October 2024, I was informed via email that I had been deemed ineligible for the concession. Because we had not yet divorced, my ex-partner was considered to be my 'domestic partner', and his income was counted as shared income. This was despite the fact that we had legally severed our financial affairs and
I had provided the binding consent orders to the Revenue Office, we had lived separately for nearly two years at that time, the property was purchased solely in my name, and both my income and the purchase price were within the scheme's limits.

The reassessment notice gave me three weeks to pay the stamp duty, plus a penalty of $6,339.75 and interest of $2,859.75, totalling $34,558.

I did not submit an objection, as I judged from the tone of the Revenue Office's correspondence that this would be unlikely to succeed, and I would be left with a larger debt due to the accrual of additional interest.

I was able to pay $20,000 by the due date and arranged a payment plan for the remaining amount over the following 12 months. This meant that approximately 27% of my take-home salary went toward the debt each month.

This caused significant stress. With no savings, I had no buffer for large bills or unexpected expenses, an uncomfortable position to be in with two children. I delayed medical and dental appointments, occasionally paid bills late, and several times ran out of money in the days leading up to payday.

In May this year, a friend forwarded me a news story about [redacted].' I was astonished to see someone in the same position as me. After learning that an inquiry would be held, I contacted the Revenue Office to request a pause in payments until the inquiry was complete. I was relieved when this was granted.

On 21 July 2025, I received notice that my eligibility had been reviewed. The Office was now satisfied that there had been an irretrievable breakdown of my relationship and no likelihood of resumed cohabitation. As a result, the payments I had made ($29,228) would be refunded.

This has been a huge relief. Since the pause in payments and the reversal of the decision, I've been able to apply for a divorce, get quotes for home repairs, take my children on a holiday to Sydney, replace my broken phone, and cover other practical and recreational expenses.

All the same, I find myself reeling from the experience. I understand the Revenue Office's essential role in collecting funds for the public good. However, if lawyers cannot clearly advise on eligibility, or if decisions hinge on the Commissioner's view of whether I might resume living with my ex-husband, the system is not functioning effectively.

I also understand the need to charge interest on a debt when an exemption is incorrectly claimed. However, the additional fine of over $6,000 felt very harsh. In my bleaker moments, I have wondered whether the system is designed to push people back out of home ownership. I expect that many applicants for concessions, like me, are navigating difficult personal circumstances and doing their best to secure stability and wellbeing for themselves and their children.

I am grateful to those who have made their experiences public, and the Members of the Assembly who have taken it up as an issue. I hope that the inquiry will lead to more clarity and compassion in administration of concession schemes.