



Legislative Assembly for the Australian Capital Territory

Standing Committee on Public Accounts
and Administration

Inquiry into Home Buyer Concession Scheme Administration

Legislative Assembly for the Australian Capital Territory
Standing Committee on Public Accounts and Administration

Approved for publication

Report 5
11th Assembly
December 2025

About the committee

Establishing resolution

The Assembly established the Standing Committee on Public Accounts and Administration on 3 December 2024.

The Committee is responsible for the following areas:

- Accounts of the receipts and expenditure of the ACT and its authorities
- All reports of the Auditor-General which have been presented to the Assembly
- ACT Public Service
- Procurement Policy
- Insurance Policy
- Chief Digital Officer
- Digital and Data Strategy
- Finance
- Treasury (including taxation and revenue)

You can read the full establishing resolution [on our website](#).

Committee members

Mr James Milligan MLA, Chair

Ms Fiona Carrick MLA, Deputy Chair

Ms Caitlin Tough MLA

Ms Jo Clay MLA (From 12 December 2025)

Secretariat

Ms Sophie Milne, Committee Secretary

Mr Adam Walker, Acting Committee Secretary (12 November 2025 – 24 December 2025)

Ms Cherelyn Brearley, Assistant Secretary

Ms Kate Horgan, Assistant Secretary (13 October 2025 – 5 December 2025)

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About this inquiry

At its meeting on 13 May 2025 the Assembly passed the following resolution:

That this Assembly:

- (1) notes that:
 - (a) the ACT Revenue Office currently relies on a self-assessment quiz for individuals to determine their eligibility for the Home Buyer Concession Scheme (HBCS);
 - (b) in the 2023-2024 financial year, 236 reassessments of the HBCS were conducted, representing a 191 percent increase from the previous year;
 - (c) preliminary data indicates that reassessments for the 2024-2025 financial year are on track to exceed 236 and may reach up to 350, which would represent a further 41 percent increase;
 - (d) reassessments may require individuals to repay conveyance duty, incur a daily simple interest charge of 12.42 percent, and may also be subject to penalty fees; and
 - (e) concession recipients often include vulnerable individuals, such as first-home buyers, domestic violence victims, pensioners, and recently divorced persons;
- (2) further notes that:
 - (a) there is currently no statutory time limit on when a reassessment may occur, with some reassessments occurring more than five years after the original application;
 - (b) the reassessment process can impose significant financial and emotional hardship on individuals; (c) the Revenue Commissioner has acknowledged the potentially unfair nature of certain reassessments, particularly those involving changes in marital status, and has recently exercised discretion to waive debts in specific cases; and
 - (c) concerns have been raised about the administration, transparency and fairness of the reassessment process under the Taxation Administration Act 1999, including:
 - (i) a lack of executive oversight;
 - (ii) limited review mechanisms (the decisions are only internally reviewable); and
 - (iii) the continued use of debt collection measures while objections are pending;
- (3) requests the Standing Committee on Public Accounts and Administration to undertake an inquiry into the administration of the HBCS and issues arising under the Taxation Administration Act 1999, including:
 - (a) the effectiveness and appropriateness of the self-assessment process;
 - (b) the fairness, transparency and financial impacts of reassessments;
 - (c) the appropriateness and proportionality of penalties and interest charges;
 - (d) the scope and exercise of administrative discretion by the Commissioner and the Minister;
 - (e) the adequacy of the objections and appeals process, including limitations on external review;

- (f) potential legislative or policy reforms to improve the application and reassessment processes; and
 - (g) the reassessment process, including timeframes, and the use of Business Intelligence; and
- (4) requests that, should the Standing Committee on Public Accounts and Administration agree to inquire into the matter, the Committee report by the first sitting day of December 2025.¹

The Standing Committee on Public Accounts and Administration resolved to conduct an inquiry into Home Buyer Concession Scheme Administration on 19 May 2025.

The Committee informed the Assembly of its intention to conduct this inquiry on 24 June 2025².

On 2 December 2025, the Assembly resolved that the reporting date would be amended to 16 December 2025.³

¹ MoP, No 20, 13 May 2025, pp 260–261.

² MoP, No 23, 24 June 2025, p 312.

³ MoP, No 41, 2 December 2025, p 547.

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Acronyms & Abbreviations

Acronym or Abbreviation	Long form
ACTRO	ACT Revenue Office
AMAN	Australian Multicultural Action Network
BVD	Buyer Verification Declaration
HBCS	Home Buyer Concession Scheme
the Commissioner	Commissioner for ACT Revenue

Recommendations

Recommendation 1

The Committee recommends that the ACT Government create a dedicated role in the ACTRO to assist applicants in navigating compliance issues.

Recommendation 2

The Committee recommends that the ACTRO ensure that the information presented on their website in relation to the HBCS is as clear and accessible as possible.

Recommendation 3

The Committee recommends that the ACT Government publish a simplified guide for applicants explaining what data is matched, when, and how it affects their eligibility. This should include examples of common issues to help applicants self-identify and correct errors early.

Recommendation 4

The Committee recommends that the ACT Government ensure all notices of assessment and reminder letters clearly explain the conditional nature of the concession and how to self-report issues. This should include common accidental non-compliance scenarios and how to resolve them without penalty.

Recommendation 5

The Committee recommends that the ACTRO investigate secure, real-time or quarterly data-sharing protocols to support earlier eligibility checks.

Recommendation 6

The Committee recommends that the ACTRO use available daily and weekly data, such as Rental Bonds and Land Titles Office transfers to flag non-compliance early.

Recommendation 7

The Committee recommends that the ACT Government assessment and debt notices implement plain-English, trauma-informed templates that clearly explain decisions, set out rights of review and available support.

Recommendation 8

The Committee recommends that the ACT Government establish a transparent, principles-based framework for interest, penalties, hardship and remissions across ACTRO programs.

Recommendation 9

The Committee recommends that the ACT Government establish a formal process for applicants to request a compassionate review of penalties, interest, or fines, where non-compliance was accidental or due to hardship.

Recommendation 10

The Committee recommends that in implementing a formal compassionate review process, the Government include consideration of domestic violence, mental health, financial instability, or language barriers as mitigating factors.

Recommendation 11

The Committee recommends that the ACTRO introduce a cap on interest charges for cases where non-compliance is self-reported.

Recommendation 12

The Committee recommends that the ACTRO align interest policies with community expectations of proportionality and fairness.

Recommendation 13

The Committee recommends that the ACT Government provide tailored repayment plans for duty reassessments resulting from non-compliance, especially where large sums are involved.

Recommendation 14

The Committee recommends that the ACT Government ensure objections are assessed and decided within 60 days of lodgement.

Recommendation 15

The Committee recommends that the ACT Government freeze interest and recovery actions while objections or ACAT proceedings are underway.

1. Background

- 1.1. The Home Buyer Concession Scheme (HBCS) is an ACT Government program designed to assist people in buying a home or residential land.⁴
- 1.2. The scheme operates by reducing the stamp duty on any property they wish to purchase.⁵
- 1.3. The Scheme is administered by the ACT Revenue Office (ACTRO) under conditions established by legislative instruments such as the Taxation Administration (Amounts Payable—Home Buyer Concession Scheme) Determination 2025 (No 2) (Disallowable Instrument 2025-146), made under the *Taxation Administration Act 1999*.⁶

Scheme Eligibility

- 1.4. Since 1 July 2019, the following eligibility criteria apply:
 - All buyers of the home or land must be individuals of at least 18 years old.
 - The assessed taxable income of all buyers, including their domestic partners⁷ (if any), in the previous financial year to the transaction date, must not be greater than the relevant income threshold (see below).
 - All buyers including their domestic partners (if any) must not have owned (legal or equitable interest) any other property in the last 5 years.⁸
 - At least one buyer must live in the home continuously for a minimum of one year, beginning within 12 months of either the settlement date or the date the Certificate of Occupancy and Use is issued.⁹
- 1.5. The Commissioner for ACT Revenue ('the Commissioner') may exempt a person from the residence requirement, in full or in part, upon written application for very specific circumstances, such as health-related issues. Written applications must be made no later than 18 months after the settlement date (for an eligible home) or the date you receive certificate of occupancy and use once construction of the new home is finished (for vacant land).¹⁰

⁴ ACT Government, ACTRO, *About the Home Buyer Concession Scheme*. <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme> (accessed 12 November 2025).

⁵ ACT Government, ACTRO, *About the Home Buyer Concession Scheme*, <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme> (accessed 12 November 2025).

⁶ ACT Government, *Submission 16*, p 6; ACT Government, ACTRO, *Disallowable Instruments*, <https://www.revenue.act.gov.au/publications/disallowable-instruments> (accessed 12 November 2025).

⁷ Domestic partner includes a spouse, civil union partner or de facto partner.

⁸ This was previously 2 years before 1 July 2024.

⁹ ACT Government, *Submission 16*, p 6; ACT Government, ACTRO, Home Buyer Assistance, <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/home-buyer-concessions-from-1-july-2019> (accessed 12 November 2025).

¹⁰ ACT Government, *Submission 16*, p 27; ACT Government, ACTRO, *About the Home Buyer Concession Scheme*, <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/about-the-home-buyer-concession-scheme#your-obligations-and-responsibilities> (accessed 16 November 2025).

- 1.6. Applicants may be exempted from the requirement to not have held a legal or equitable interest in a home or land site in the previous five years if:
- a) They have relinquished their interest in a property under a court order;
 - b) They have relinquished their interest in a property because of a financial agreement made under the *Family Law Act 1975* (Cth) or a domestic relationship agreement or termination agreement made under the *Domestic Relationships Act 1994*;
 - c) They acquired the interest as an executor or trustee of a will; or
 - d) They acquired the interest in an agreement for sale or transfer that was subsequently cancelled.¹¹
- 1.7. All ACT properties are eligible for the scheme.¹²

Alternative eligibility requirements

- 1.8. There are alternative eligibility requirements if a person or their dependent child has experienced family violence in the previous five years, or if an applicant is legally married but separated from their spouse.¹³

Family violence

- 1.9. To claim this alternative eligibility, a person must provide one of the following:
- A family violence order (includes a protection order whether interim or final; after-hours order; an interstate family violence order or a foreign order; or
 - An injunction order issued under sections 68B or 114 of the *Family Law Act 1975* (Cwlth); or
 - A competent person declaration made prior to the transaction date (before you sign a contract to purchase a property).¹⁴
- 1.10. A person with one of the forms of evidence above is permitted to have any interest they may have held in property within the last five years as an allowed interest for the HBC.¹⁵
- 1.11. They must however still meet the income test, but the taxable income of the domestic partner associated with the family violence is excluded.¹⁶

¹¹ ACT Government, *Submission 16*, pp 6-7.

¹² ACT Government, ACTRO, *About the Home Buyer Concession Scheme*, <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/about-the-home-buyer-concession-scheme> (accessed 16 December 2025).

¹³ ACT Government, ACTRO, *Home Buyer Assistance*, <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/about-the-home-buyer-concession-scheme#eligibility> (accessed 15 December 2025).

¹⁴ ACT Government, *Submission 16*, p 7; ACT Government, ACTRO, *Claim the home buyer concession* <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/claim-the-home-buyer-concession#hbc-family-violence> (accessed 13 November 2025).

¹⁵ ACT Government, *Submission 16*, pp 6-7; ACT Government, ACTRO, *Home Buyer Assistance* <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/home-buyer-concessions-from-1-July-2019> (accessed 15 December 2025).

¹⁶ ACT Government, *Submission 16*, p 7; ACT Government, ACTRO, *Home Buyer Assistance* <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/home-buyer-concessions-from-1-July-2019> (accessed 15 December 2025).

- 1.12. The domestic partner associated with the family violence also cannot occupy or reside in the property during the one-year residency period.¹⁷
- 1.13. Those who do not have evidence through family violence orders or injunctions may still be eligible for a partial or full waiver from duty, if they have owned property in the last five years, but will still be required to provide evidence of the family violence as well as still be required to meet the requirements of the HBC such as the income test.¹⁸

Separation from a domestic partner (spouse)

- 1.14. For agreements made on or after 27 May 2025, if the applicant separated from their spouse but is still legally married, their property interests may be excluded from the HBC requirements, provided the Commissioner is satisfied that there has been a dissolution, annulment or irretrievable breakdown of the domestic relation, and the applicant is not cohabitating with the spouse and no likelihood of cohabitation resuming.¹⁹

Income thresholds

- 1.15. The relevant income threshold (from 1 July 2024) for those buying under the scheme and their domestic partners is outlined below:

Number of dependant children	Total income threshold
0	\$250,000
1	\$254,600
2	\$259,200
3	\$263,800
4	\$268,400
5 or more	\$273,000

Table 1: Assessed taxable income thresholds for the Home Buyer Concession Scheme (Since 1 July 2024) [Source: ACT Government, Submission 16, p 7]

Concession cap

- 1.16. From July 2021, a cap was placed on the concession amount:²⁰

Year	Maximum concession amount
2025-26	\$35,238

¹⁷ ACT Government, ACTRO, *About the home buyer concession scheme*, <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/about-the-home-buyer-concession-scheme#income-exemptions> (accessed 15 December 2025).

¹⁸ ACT Government, ACTRO, *Claim the home buyer concession*, <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/claim-the-home-buyer-concession#3-HBC-with-separation> (accessed 15 December 2025).

¹⁹ ACT Government *Submission 16*, p 6.

²⁰ ACT Government, ACTRO, *About the home buyer concession scheme*, <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme> (accessed 13 November 2025).

2024-25	\$34,270
2023-24	\$34,504
2022-23	\$34,790
2021-22	\$35,910

Table 2: Concession caps from 2021-22 to 2025-26 [Source: ACT Government, ACTO, Home Buyers Assistance, <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/about-the-home-buyer-concession-scheme#find-out-how-much-duty-concession-you-can%20get> (accessed 16 December 2025).]

Concessional duty thresholds

- 1.17. The amount of duty to be paid is determined by the value of the purchased land site or home.²¹ On or after 1 July 2025, the following property value thresholds determine the concessional duty that is payable:²²

Property value	Duty payable
Less than or equal to \$1,020,000	\$0
More than \$1,020 but less than \$1,455,000	\$6.40 for every \$100, or part of \$100, by which the dutiable value exceeds \$1,020,000
\$1,455,000 or more	A flat rate of \$4.54 per \$100 applied to the total dutiable value, less an amount of \$35,238

Table 3: Property value thresholds and duty payable [Source: ACT Government, Submission 16, p 8].

- 1.18. The capped amount for the scheme requires annual updates to the disallowable instrument to account for variations in underlying duty charges.²³

Application process

- 1.19. Buyer seeking to claim a concession on conveyance duties through the HBCS must reference the appropriate concession code in their Buyer Verification Declaration (BVD), which is submitted to Access Canberra before the registration of the title transfer.²⁴
- 1.20. There are presently three different concession codes:
- HBC24 for claims meeting all eligibility requirements
 - FVC24 for claims requesting exemptions to eligibility requirements based on having experienced family violence; and
 - DPS25 for claims requesting exemptions to eligibility requirements based on separation from a domestic partner.²⁵

²¹ ACT Government, *Submission 16*, p 8.

²² ACT Government, ACTRO, *Home Buyer Assistance*, <https://www.revenue.act.gov.au/home-buyer-assistance/home-buyer-concession-scheme/about-the-home-buyer-concession-scheme#check-if-you-can-claim-the-home-buyer-concession> (accessed 15 December 2025)

²³ ACT Government, *Submission 16*, p 8.

²⁴ ACT Government, *Submission 16*, p 9.

²⁵ ACT Government, *Submission 16*, p 9.

- 1.21. The BVD can be completed by the buyer or the buyer's solicitor or conveyancer on behalf of the buyer.²⁶
- 1.22. The ACTRO issues a notice of Assessment to the buyer advising of the amount of duty payable on the purchase based on the information provided in the BVD.²⁷
- 1.23. Buyers who do not include a concession code on their BVD can directly lodge with the ACTRO up to 12 months after lodging an application for concession, exemption or correction of duty after registration.²⁸

Self-assessment

- 1.24. Eligibility for the scheme is self-assessed with the ACTRO not checking or confirming eligibility at the time Notices of Assessment are issued.²⁹
- 1.25. The ACT Government assists potential applicants in determining their eligibility through a questionnaire on the ACTRO website.³⁰
- 1.26. In undertaking the self-assessment, applicants are encouraged by the ACTRO website to ensure that all eligibility requirements have been met or will be met before applying, including seeking independent professional advice.³¹ This is reiterated by the Government in its submission also.³²
- 1.27. The ACT Government's submission highlights that the ACTRO also contacts the buyer nine months after issuing the initial Notice of Assessment to remind them of all the eligibility requirements.³³

Scheme administration

- 1.28. In its submission, the ACT Government notes that the ACTRO aims to reduce the number of applicant errors and illegitimate claims by providing applicants with information through its website, a contact centre or stakeholder outreach.³⁴
- 1.29. The Government's submission states that the ACTRO's website provides 'comprehensive information' about the HBCS, including an explanation of the application and assessment processes; explanation of the eligibility criteria; links to Disallowable Instruments that specify eligibility criteria and concession rates; and contact details for the ACTRO.³⁵

²⁶ ACT Government, *Submission 16*, p 10.

²⁷ ACT Government, *Submission 16*, p 10.

²⁸ ACT Government, *Submission 16*, p 10.

²⁹ ACT Government, *Submission 16*, p 10.

³⁰ ACT Government, *Submission 16*, p 11.

³¹ ACT Government, *Submission 16*, p 11.

³² ACT Government, *Submission 16*, p 13.

³³ ACT Government, *Submission 16*, p 13.

³⁴ ACT Government, *Submission 16*, p 11.

³⁵ ACT Government, *Submission 16*, p 11.

- 1.30. Applicants are required to retain documentary evidence of their eligibility for up to five years from the date of submission under Division 8.1 of the *Taxation Administration Act 1999*.³⁶
- 1.31. Applicants also agree when making the Application for concession, exemption or correction of duty after registration of title that they will notify the ACTRO of any change in circumstance that may affect their application within 14 days.³⁷

2. Issues raised in evidence

Effectiveness and appropriateness of the self-assessment process

Clarity of information

- 2.1. The Committee received evidence from several submitters who expressed concerns with the information available during the self-assessment process and the difficulty this created for them or experts engaged by them in being able to confidently or accurately self-assess as being eligible for the scheme.³⁸
- 2.2. For example, Mr Lachlan Cairns in his submission expressed the view that whilst self-assessment is an appropriate process, there were issues with the information available at the time, writing that ‘this process obligates the Commissioner to make information readily available, accurate, complete and understandable. This is an area in which the Commissioner has consistently failed to fulfil their obligation, leading to defaults and allowing the ACTRO to profit from the penalties’.³⁹
- 2.3. In particular, Mr Cairns stated in his submission that the information provided on the website to support the self-assessment process was neither relevant, complete or understandable, arguing that it was lacking in some areas.⁴⁰
- 2.4. Mr Cairns recounted an instance, in which he, believing he was eligible, applied for the concession, offering to provide evidence to support their self-assessment. He noted in his submission that he had difficulty obtaining relevant information from the ACTRO.⁴¹
- 2.5. Mr Cairns also expressed frustration with the lack of clarity from the ACTRO in replying to questions about the self-assessment process, citing an example where in responding to a question about eligibility, the ACTRO simply referred to ‘lengthy legislation documents instead of given [sic] a clear answer or an offer of assistance’. He was of the view that ‘The

³⁶ ACT Government, *Submission 16*, p 12.

³⁷ ACT Government, *Submission 16*, p 12.

³⁸ Ms Kasey Kaczmarczyk, *Submission 3*, pp 1 – 2; Name withheld, *Submission 4*, pp 1 – 2; Mr Lachlan Cairns, *Submission 5*, p 1; Mr Nick W, *Submission 6*, p 1; Ms Catherine Weeden, *Submission 7*, p 2; Australian Multicultural Action Network, *Submission 9*, p 2; Names withheld, *Submission 10*, p 1; Names withheld, *Submission 14*, p 1; Names withheld, *Submission 19*, p 1; Names withheld, *Submission 20*, p 4; Name withheld, *Submission 21*, pp 1 & 3.

³⁹ *Submission 5*, p 1.

⁴⁰ *Submission 5*, p 1.

⁴¹ *Submission 5*, p 1.

Commissioner has a positive responsibility to provide tax payers with sufficient information to allow a self-assessment, the Commissioner has failed to fulfill this responsibility'.⁴²

- 2.6. At the public hearing Ms Stephanie Simpson, considered the information from ACTRO to be unclear and called for simplifying the language:

Even in the absence of having the appropriate staff to do real-time assessments and even making some semblance of an attempt to write their content in plain English would go a long way. I am also well educated, and I work in an environment that deals a lot with legislation. I have read a lot and interpreted a lot myself and I thought when I was going through their self-assessment that I understood it. So I cannot imagine how much harder it is for others to read and understand what they have put on their website. If you look at the average reading levels in Australia it is something like grade 9.

...I think the first step they should take is to at least try to make their information accessible to the public, and not so easily misinterpreted. I think everyone is trying to do the right thing here. We do their self-assessment in the hopes that we are then armed with all the information we need to comply—and it is almost like it is making it harder to comply with how they have set it up.⁴³

- 2.7. Ms Cathy Weeden highlighted in her submission that the income assessment component of the self-assessment is confusing given, in her view, no other government organisation assess income as gross income rather than taxable income; and that adding investment income on top without adjusting for cost is 'illogical and can only be described as a blatant attempt to ensure [in]eligibility'.⁴⁴ The Committee notes that the ACT Government has since adjusted the scheme to assess on taxable income.⁴⁵
- 2.8. Asked in the public hearing whether she thought it would be useful for there to be a dedicated liaison point within the ACTRO for the purpose of explaining the self-assessment criteria, Ms Weeden agreed, citing lack of clarity in the legislation: 'When you have legislation that is unclear, as you say, if there were someone to speak to, it would certainly go a long way'.⁴⁶

Recommendation 1

The Committee recommends that the ACT Government create a dedicated role in the ACTRO to assist applicants in navigating compliance issues.

⁴² *Submission 5*, p 1.

⁴³ Ms Stephanie Dora Simpson, *Committee Hansard Proof*, 15 October 2025, pp 8-9

⁴⁴ Ms Cathy Weeden, *Submission 7*, p 3.

⁴⁵ Ms Rachel Stephen-Smith MLA, Minister for Finance, *Committee Hansard Proof*, 15 October 2025, p 48 and ACT Government, *Submission 16*, p 9.

⁴⁶ Ms Cathy Weeden, *Committee Hansard Proof*, 15 October 2025 p 7-8.

- 2.9. Some submissions detailed cases where reassessment arose due to not being able to understand the concession conditions for those separated from their domestic partner.⁴⁷
- 2.10. For example, one submitter, who purchased their property in July 2021, explained how despite being legally separated from their husband since early November 2020, was determined to be 'legally married still' by the compliance officer during an audit by the ACTRO in May 2024, and that their ex-husband's income should have been included in the household income assessment. They were therefore deemed ineligible for the stamp duty concession and liable to pay the full amount.⁴⁸ The submitter applied for divorce 12 months and 1 day after the separation in line with Australian family law, which was granted shortly after.⁴⁹
- 2.11. The submitter explained in their submission that they had completed the self-assessment to assist them determining if they were eligible for the scheme. They observed that at the time the self-assessment tool asked whether they were in a domestic partnership, and defined a domestic partnership as someone you live with and includes a spouse, but did not provide a definition of what a domestic partner is, and that much of the language in the tool appeared to reflect what was written in the legislation and was not in plain English.⁵⁰
- 2.12. They pointed to other jurisdictions as having clearer definitions, citing the New South Wales example specifically, arguing that 'Simple changes like this go a long way to providing residents with the information they need to make an accurate assessment of their eligibility'.⁵¹
- 2.13. The author of submission 21, who had split from their husband in 2022, similarly outlined how, despite relying on legal advice saying they would be eligible for the concession via a Personal Relationship Transfer Exemption, they were later deemed to be found ineligible. Their lawyer advised that if they obtained binding financial consent orders formalising the arrangement, they would be eligible for stamp duty exemption when purchasing property. The lawyer also advised that obtaining a divorce was not a prerequisite for the exemption.⁵²
- 2.14. They received over a year later after purchasing home in October 2023 a notice requesting further information about eligibility, and later on 31 October 2024 received an email that they were ineligible for the concession because they had not yet divorced, so their partner was still deemed to be their domestic partner and his income was still counted as shared income. This was despite the fact they had legally severed their financial affairs and had lived separately for nearly 2 years.⁵³

⁴⁷ Name withheld, *Submission 2*, pp 1-5; Ms Kasey Kacmarczyk, *Submission 3*, pp 1-5; Ms Cathy Weeden, *Submission 7*, pp 1, 4, 5, 6, 7; Names withheld, *Submission 14*, pp 1-3; Name withheld, *Submission 21*, pp 1-3.

⁴⁸ Name withheld, *Submission 2*, p 1.

⁴⁹ Name withheld, *Submission 2*, p 1.

⁵⁰ Name withheld, *Submission 2*, p 1-2.

⁵¹ Name withheld, *Submission 2*, p 2.

⁵² Name withheld, *Submission 21*, p 1.

⁵³ Name withheld, *Submission 21*, p 2.

- 2.15. Other submissions demonstrated that due to informational gaps or issues, not even expert advice was enough to guarantee in some instances a problem-free self-assessment.
- 2.16. One submitter, for example, expressed the view that the self-assessment tool is ‘ineffective for complex situations’.⁵⁴ They outlined how, after selling their property with their ex-partner, they received a letter from the ACTRO informing them their eligibility for the scheme was being reviewed.⁵⁵
- 2.17. When originally purchasing the property the mortgage broker had informed them that he could not include any portion of the submitter’s income from a part time job from the financial year prior as they were no longer working in that job. Following from this, they had sought expert advice from a conveyancer to also see if they could exclude the part time job income from the income calculation for the HBCS. The conveyancer advised them to say they were under the income threshold when completing the self-assessment tool, and that they would organise documents to support that position.⁵⁶
- 2.18. However, when 2 year later they received a Notice of Reassessment from ACTRO, they resubmitted the supporting documentation and advice from the Conveyancer, which was rejected by the ACTRO who required them pay \$46,658 within three weeks.⁵⁷
- 2.19. In another example, the author of submission 10 explained to the Committee their circumstances in which both their solicitor and accountant believed they were eligible, and they received initially a notice of assessment from ACTRO advising there was no payment of stamp duty required. They were, however, unaware that this was a self-assessment process, and that ACT revenue would eventually review the assessment and seek them to pay \$27,123.70 which had to be paid in 21 days.⁵⁸
- 2.20. They also explained in their submission that they could not see any explanation by ACTRO that the clearly defined the HBCS was calculated on Gross total income rather than gross taxable income or the difference between the two.⁵⁹
- 2.21. Another submitter outlined their experience in which despite engaging solicitors to complete the application, the application was completed incorrectly. When they notified the ACTRO of the error and sought to make payment of the stamp duty amount, the delegate from the ACTRO informed them that, despite having done nothing wrong, they were still required to pay the ACTRO over \$26,000 in additional fees.⁶⁰
- 2.22. The author of submission 19 outlined how they relied on expert advice to ensure the self-assessment process was accurate, as their personal circumstances at the time and lack of relevant professional skills means they were not comfortable in completing it themselves:

Based on our experience, we believe the self-assessment process not to be appropriate or effective as it currently stands. As first home buyers we had no

⁵⁴ Name withheld, *Submission 4*, p 2.

⁵⁵ Name withheld, *Submission 4*, p 1.

⁵⁶ Name withheld, *Submission 4*, p 1.

⁵⁷ Name withheld, *Submission 4*, p 1.

⁵⁸ Names withheld, *Submission 10*, p 1.

⁵⁹ Names withheld, *Submission 10*, p 1.

⁶⁰ Nick W, *Submission 6*, p 1-3.

knowledge of conveyancing law and therefore sought professional advice. We understood this to be our due diligence. At the time of purchasing our property, I was pregnant, ill, working full-time in the community sector and experiencing debilitating levels of anxiety. My husband, a tradesman was also working overtime to provide financial stability for our growing family. We therefore relied heavily upon the paid professional advice and guidance from our conveyancing lawyer, who provided both verbal and written advice through the purchase process that stamp duty was not payable.

We believe that we are not alone in relying upon paid professional advice, especially at a time of vulnerability. With the current stressors of everyday life that many people face, interpreting and understanding the relevant legislation relating to the self-assessment process can be overwhelming.⁶¹

- 2.23. The Committee heard an instance where specific conditions of the concession were seemingly forgotten or misunderstood by applicants or experts engaged by them.
- 2.24. For example, the author of submission 14 recounted how, after purchasing a new home after a marriage breakdown, they were later reassessed as being ineligible after not staying in the house for the minimum twelve months.⁶² They wrote that ‘...if I had known that I would need to pay \$10,000 for not staying in the apartment for 12 months I would have stayed there for a couple more months so that I would have continued to have qualified’.⁶³
- 2.25. Mr Ed Cocks MLA in his submission emphasised the importance of clarity in ensuring citizens are able to easily navigate Government schemes:

Canberrans deserve to be treated with fairness, respect, and good faith by their government. When people buy a home, particularly their first home, they are navigating what is often the biggest financial decision of their lives, with complex legal, information and regulatory burdens. They must usually rely on professional expert support and depend on clear advice and information from professionals and the Government.

People should be able to trust that the rules and requirements of the Government schemes intended to help them are clear, that someone is checking at the outset to make sure the rules are applied correctly, and that the government will approach them as honest citizens acting in good faith.⁶⁴

- 2.26. In the public hearing, the Government outlined that it had made a number of improvements to address some of the concerns raised in submissions around the clarity of language used in self-assessment process:

We have been working on changes to the website and the questionnaire. We are looking at consolidating in relation to the website. We are looking at consolidating all our home buyer concessional information on a single page. We are looking at

⁶¹ Names withheld, *Submission 19*, p 1.

⁶² Names withheld, *Submission 14*, p 1.

⁶³ Name withheld, *Submission 14*, p 1.

⁶⁴ Mr Ed Cocks MLA, *Submission 18*, pp 1–2.

simplifying language. We are also looking at re-designing the questionnaire so that, as people work through and answer questions, they then just get the bit that is relevant to their circumstances as they work through the questionnaire. We are looking at releasing the website content and the questionnaire in November. Once we are comfortable with what we are proposing, it then needs to be developed for the website. We are also going to be totally redoing our website. The aim of that particular project is to make it easier for people to find information on the website and to be able to navigate around the website.⁶⁵

- 2.27. In its submission, the Government also outlined changes made to the exemptions relating to the definition of spouse have also been made. From 27 May 2025, 'exemption from an ex-spouse's prior home ownership or income is available for one who is separated but not legally divorced'.⁶⁶
- 2.28. At the inquiry hearing, Minister for Finance, Ms Rachel Stephen-Smith MLA, also informed the committee, as did the Government in its submission, that it had updated the definition of income as part of its work in clarifying information on the HBSC:

One of the things that the Revenue Office has sought to do, in terms of updating the website and the information available, is to be clearer about what that income criteria actually refers to. We have certainly heard from some people who have written to us and given evidence that the disconnect between gross income and assessed income has been a problem for some people in the past.⁶⁷

Committee comment

- 2.29. The Committee finds that it is unreasonable to expect all individuals, including those experiencing stressful life events, to fully understand complex concession criteria without assistance, given the potentially life-changing liabilities arising from errors.
- 2.30. The Committee also notes that even industry professionals appear to have struggled in navigating the system, providing advice to individuals that has sometime turned out to be incorrect and led to reassessments.
- 2.31. The Committee therefore considers that information presented in relation to the HBSC should be made clearer and more readily understandable. The Committee acknowledges the work to date that has already been undertaken by the Government to improve the publicly available information about the scheme and clarify or improve definitions. The Committee however considers that there is more that could be done in this space, such as publishing a simplified guide for applicants.

Recommendation 2

⁶⁵ Ms Lisa Holmes, Acting Commissioner Revenue, ACTRO, Chief Minister, Treasury and Economic Development Directorate, *Committee Hansard Proof*, 15 October 2025, p 40.

⁶⁶ ACT Government, *Submission 16*, p 9.

⁶⁷ Ms Rachel Stephen-Smith MLA, Minister for Finance, *Committee Hansard Proof*, 15 October 2025, p 48 and ACT Government, *Submission 16*, p 9.

The Committee recommends that the ACTRO ensure that the information presented on their website in relation to the HBCS is as clear and accessible as possible.

Recommendation 3

The Committee recommends that the ACT Government publish a simplified guide for applicants explaining what data is matched, when, and how it affects their eligibility. This should include examples of common issues to help applicants self-identify and correct errors early.

- 2.32. From the evidence received, it also appears to the Committee that for those completing the self-assessment process, once they receive their initial notice of assessment, they are under the impression that the concession has been granted, and are therefore surprised when the reassessment takes place. The Committee therefore considered it important that on completion of the self-assessment process, it be made clear to applicants that the initial approval or grant of the concession is conditional only, and may be subject to reassessment.

Recommendation 4

The Committee recommends that the ACT Government ensure all notices of assessment and reminder letters clearly explain the conditional nature of the concession and how to self-report issues. This should include common accidental non-compliance scenarios and how to resolve them without penalty.

Absence of real-time confirmation

- 2.33. Another key issue raised by some submissions with the self-assessment process was the lack or absence of confirmation of eligibility at the time of applying.
- 2.34. The ACT Government argues that a key benefit of the scheme is that it is available at the time a property transaction takes place, and that the applicant does not have to pay stamp duty up front and then claim it back later when they have met all the eligibility requirements. If an applicant cannot at the time of the transaction satisfy themselves that they meet the eligibility requirements, they can make an application up to 12 months after purchase. The Government considers that ‘this would seem to cater for the circumstances of most applicants’.⁶⁸
- 2.35. The author of submission 5 raised concerns with this, observing that because they were able to access the concession instantly, they had relied on it when deciding whether to purchase the property:

⁶⁸ ACT Government, *Submission 16*, p 10.

Had we known that ACT Revenue did not agree with the professional advice we had received from our conveyancer regarding our eligibility for the Home Buyers Concession Scheme and that we would need to pay stamp duty prior to purchasing a property, we would not have purchased the property that we did as the additional \$33,000 in stamp duty was money we certainly didn't have. In fact, the only reason we were able to pay the reassessed Stamp Duty, fine and interest within the 3-week time frame is because we had just sold the property and hadn't yet purchased another. Obviously, this has since drastically decreased the deposits we have and has now prohibited us from re-entering the property market.⁶⁹

- 2.36. Mr Nick W questioned why the Government does not conduct an assessment when the self-assessment is initially submitted. This, they argue, would 'allow ineligible applicants to be identified upfront, preventing financial hardship and resolving issues before they escalate'.⁷⁰

- 2.37. The author of submission 11 similarly expressed the view that assessment should be conducted at the time of purchase:

In any sound taxation framework - such as GST - liabilities are determined at the point of transaction. This prevents retroactive hardship and unnecessary administrative burden. The ACTRO's practice of reassessing years later creates avoidable distress and results in wildly inappropriate, retrospective demands for payment of so-called "historical debts".⁷¹

- 2.38. Submission 11 argued that if the ACTRO can invest in business intelligence and data-matching capabilities to chase years-old debts, they could apply those same tools proactively at the time of application.⁷²

- 2.39. Ms Cathy Weeden also called for real-time assessment of applications:

On one occasion when I contacted the Revenue Office they told, "Well, there is no way we could assess these in real time." Does the Tax Office say that to us when we do our taxes every year? Do they say, "Sorry, we will just assess that in five years time because we do not have enough staff"? How is that the public's problem or responsibility? It is not. But the impacts are felt directly by us with complete disregard.⁷³

- 2.40. She went on to argue that because the data is based on the previous financial year, not the current one, it is 'not impossible' to have real-time assessment, adding that 'it is illogical to me to not assess it at that moment, unless it is a revenue-generating exercise, which is

⁶⁹ Name withheld, *Submission 4*, p 2.

⁷⁰ *Submission 6*, p 1.

⁷¹ Name withheld, *Submission 11*, p 2.

⁷² Names withheld, *Submission 11*, p 4.

⁷³ *Committee Hansard*, 15 October 2025, p 8.

what it very much feels like. “We’ll delay it; we will have limited staff; and then we will penalise you for our delays.” That is what it felt like⁷⁴.

2.41. Submission 4 proposed the ACTRO undertake pre-purchase assessment instead of post-purchase assessment.⁷⁵

2.42. In its submission the Salvation Army expressed the view that assessing eligibility upfront together with proactive assistance at the time of application, would assist community members experiencing barriers to self-assessment:

While self-assessment may be appropriate and effective for community members who can clearly identify their eligibility, community members experiencing barriers to self-assessment would benefit from more definitive and proactive processes. The highly complex nature of the qualification requirements and exemptions would be better serviced by the Directorate actively guiding individual applicants or assessing the community member’s eligibility prior to accessing the concession.⁷⁶

Government response to upfront assessment

2.43. In the public hearing, when asked by the Committee whether it is possible to undertake upfront assessments, the ACTRO indicated this was not possible presently based on the schemes criteria as it currently stands.⁷⁷

2.44. The ACTRO outlined the example of the 12-month residency requirement for the scheme, which can only be assessed after the fact; further, the ACTRO does not have available at the time of an application the assessed taxable income data from the ATO:

The other criteria, particularly in relation to income and in relation to the residence period is not known—certainly the residence period. When someone actually settles or gets a certificate of occupancy, they then have 12 months to start their residency. At that point, in order to meet the criteria, they need to have 12 months of continuously being in the home. We certainly cannot assess that beforehand.

In relation to the income, from the perspective of the Revenue Office, there is a delay in the data that we get from the ATO in relation to assessed taxable income. The amount of the income is based on the financial year prior to the transaction date. It depends on how close those dates are as to how much of an issue it becomes. But, at the end of the day, often the Revenue Office does not have that information. Certainly the person who is applying should know that information.⁷⁸

⁷⁴ Ms Cathy Weeden, *Committee Hansard Proof*, 15 October 2025, p 8.

⁷⁵ Name withheld, *Submission 4*, p 2.

⁷⁶ The Salvation Army, *Submission 17*, p 9.

⁷⁷ Ms Lisa Holmes, Acting Commissioner Revenue, ACTRO, Chief Minister, Treasury and Economic Development Directorate, *Committee Hansard Proof*, 15 October 2025, p 40.

⁷⁸ Ms Lisa Holmes, Acting Commissioner Revenue, ACTRO, Chief Minister, Treasury and Economic Development Directorate, *Committee Hansard Proof*, 15 October 2025, p 41.

2.45. This echoed the ACT Government submission:

In relation to the income criteria, this cannot be checked in real time. Australian Taxation Office (ATO) income data takes up to three months after the end of the financial year to be available. Depending on the timing of a property transactions, this criterion could take from weeks, up to 18 months to verify after a person has lodged their ATO tax return.⁷⁹

2.46. The Government also argued that introducing a compliance check at the point of application would result in delays in the process and negate the benefits of ‘barrier free conveyancing’ which the scheme was designed for:

At the moment, under the barrier-free conveyancing arrangement that we have in place, the Revenue Office is not part of the settlement process. Anything that requires the Revenue Office to be doing checks before someone actually gets that concession or exemption basically then delays the provision of that.⁸⁰

2.47. In its submission, the ACT Government outlined that a key benefit of the HBC is that it is available at the time a property transaction takes place, and therefore the applicant does not have to pay stamp duty up front.⁸¹

2.48. The Government also indicated that if it were to move to an upfront assessment process, it would be a significant administrative undertaking by the ACTRO, with some 3,500 applications for concessions in 2024-25.⁸² The Government in response to a Question Taken on Notice estimated that it could take a minimum of 10 business days to assess a HBSC application upfront, but would be dependent on the availability of additional funding to undertake this additional function. It would also not replace any subsequent compliance activities as the assessment would still be conditional.⁸³

2.49. In their written submission, the ACT Government canvassed an alternative approach whereby a grant would be made to a first home buyer to enable them to pay conveyance duty at the time of settlement. The grant would be paid once eligibility requirements were met.⁸⁴

2.50. The Government submission however stated that this approach would require additional staff to administer and involve a delay in payment of around two years of more from date of settlement: ‘Given that the vast majority of conveyance duty concession applicants who apply are clearly eligible, such a change would disadvantage many home buyers who are legitimately claiming the concession at the time of property purchase.’⁸⁵

⁷⁹ ACT Government, *Submission 16*, p 13.

⁸⁰ Ms Lisa Holmes, Acting Commissioner Revenue, ACTRO, Chief Minister, Treasury and Economic Development Directorate, *Committee Hansard Proof*, 15 October 2025, p 42.

⁸¹ ACT Government, *Submission 16*, p 10.

⁸² Mr Mitch Pirie, Acting Under Treasurer, Chief Minister, Treasury and Economic Development Directorate, *Committee Hansard Proof*, 15 October 2025, p 45.

⁸³ Ms Lisa Holmes, Acting Commissioner Revenue, ACTRO, Chief Minister, Treasury and Economic Development Directorate, answer to QTON 002, 15 October 2025 (received 30 October 2025), p 2.

⁸⁴ ACT Government, *Submission 16*, pp 13-14

⁸⁵ ACT Government, *Submission 16*, p 14.

Committee comment

- 2.51. While the Committee understands the desire of some submitters for income checks at the point of application, the Committee stops short of recommending income checks at the point of application, as this is fundamentally incompatible with the policy intent of barrier-free conveyancing and would require a major shift in policy and additional administrative resources and funding. It would also not replace the need for subsequent compliance activities.
- 2.52. The Committee however considers that the ACTRO should explore whether more frequent access to income and rental data from the Australian Taxation Office is possible, for the purpose of completing the subsequent compliance activities in a timelier manner.

Recommendation 5

The Committee recommends that the ACTRO investigate secure, real-time or quarterly data-sharing protocols to support earlier eligibility checks.

Recommendation 6

The Committee recommends that the ACTRO use available daily and weekly data, such as Rental Bonds and Land Titles Office transfers to flag non-compliance early.

Fairness, transparency and financial impacts of reassessments

Penalty and interest rates

- 2.53. Penalty and interest rates apply to reassessed debt owing from misapplied HBC, and they can be calculated from the date that the stamp duty was initially due.⁸⁶ The ACT's penalty and interest rates are generally comparable with those in other jurisdictions.⁸⁷
- 2.54. The basic penalty rate is set by the *Tax Administration Act 1999* as 25 percent of the unpaid tax, with reductions for 'reasonable care or circumstances beyond control' or voluntary disclosure on the part of the taxpayer. Conversely, the penalty can be increased to ⁹⁰ percent of the unpaid amount for taxpayers who deliberately try to conceal their liability.⁸⁸
- 2.55. Table 34 of the *Taxation Administration Act* sets out various penalty rates which can be applied:

column 1 item	column 2	column 3	column 4
		basic rate	reduced rate

⁸⁶ ACT Government, *Submission 16*, p 17.

⁸⁷ ACT Government, *Submission 16*, p 17.

⁸⁸ *Taxation Administration Act 1999*, Part 5.

			voluntary disclosure	disclosure before investigation
1	taxpayer took reasonable care	0%	0%	0%
2	circumstances beyond taxpayer's control	0%	0%	0%
			reduced rate	
		basic rate	voluntary disclosure	disclosure before investigation
3	tax default	25%	5%	20%
4	<ul style="list-style-type: none"> • delayed payment of tax • delayed provision of information • provided incorrect, incomplete or misleading information • second or subsequent tax default 	50%	10%	40%
5	intentional disregard of tax law	75%	15%	60%
6	concealment	90%	90%	90%

Table 4: Rates of Penalty Tax [Source: Taxation Administration Act 1999, s 34]

- 2.56. The interest rate applied to HBC debt is 8 percent plus a market rate component which is based on the Reserve Bank's 90-day bank bill rate.⁸⁹

Excessive or unfair application of penalties

- 2.57. Many submitters to this inquiry expressed unhappiness at the penalty and interest rates which had been applied in their situation, considering them excessive, and the short time frame in which payment was demanded (21 days) as unfair.⁹⁰
- 2.58. Submitter 19 had applied for the HBC based on professional advice, and received a notice of reassessment almost two years after the purchase of their property. On top of the HBC debt, they were charged an interest rate of 12.42 percent, resulting in a total amount owing of \$34,362.25, which they were required to pay within 21 days.⁹¹ They said in their submission that the penalties were 'excessive for a young family who simply made a mistake and relied on professional advice'.⁹²
- 2.59. Mr Nick W shared a similar experience. Despite receiving professional advice that they were eligible for the HBC, they recognised the error almost two years after the purchase of their house, and contacted the ACTRO themselves. Despite this self-disclosure, they were

⁸⁹ ACT Government, *Submission 16*, p 17.

⁹⁰ Name Withheld, *Submission 2*, p 4; Name Withheld, *Submission 4*, p 3; Mr Lachlan Cairns, *Submission 5*, p 3; Mr Nick W, *Submission 6*, p 3; Ms Catherine Weeden, *Submission 7*, p 4; Names Withheld, *Submission 14*, p 2; Names Withheld, *Submission 19*, p 3; Names withheld, *Submission 21*, p 3.

⁹¹ Name Withheld, *Submission 19*, pp 2-3.

⁹² Name Withheld, *Submission 19*, p 2.

still required to pay \$26,785.17 in additional to the HBC debt.⁹³ He expressed the view that if the ACTRO had taken even longer than the two years to notify them of their non-compliance, 'it would very likely place us in financial peril and lead to us selling our home as a result'.⁹⁴ He also considered the retrospective application of the interest charges as unfair.⁹⁵

- 2.60. Ms Cathy Weeden similarly expressed concern, arguing that the reassessment process, particularly when delayed, 'imposes severe and unjust financial penalties on individuals who reasonably believed they had complied with the law'. She in her case highlighted that the penalty she was issued was more than four times the amount by which she exceeded the income threshold, and this was despite her paying on time the remaining amount not covered by the concession.⁹⁶
- 2.61. Ms Cathy Weeden also felt that the application of penalties was reminiscent of the Robodebt scheme, in which 'strict technical compliance enforced without regard to fairness or context, leading to emotional harm'.⁹⁷
- 2.62. This was echoed by the authors of submission 11: 'When an approved concession is revoked years later without clear cause, it undermines trust in government and mirrors the systemic failings of Robodebt—where the drive to collect money eclipsed lawful process, proportionality, and fairness'.⁹⁸
- 2.63. Both Mr Nick W and Mr Lachlan Cairns too considered the ACTRO was more concerned with revenue raising than with compliance or concern for the impact on those affected.⁹⁹
- 2.64. The community organisation, Care, which provides free financial counselling, was of the view that most people are not intentionally avoiding their tax liabilities, but rather do not have the capacity or capability to do so, sometimes due to vulnerabilities such as mental ill-health.¹⁰⁰
- 2.65. As said by Submitter 21, who was charged additional fees of over \$6,000:

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.¹⁰¹
- 2.66. In some cases, interest accumulates on the HBC debt for several years until a reassessment notice was given. One submitter was charged \$7,000 in interest and penalties on an approximately \$10,000 HBC debt, after around five years passing between their applying for the concession and receiving a reassessment notice. They did not believe that the

⁹³ Mr Nick W, *Submission 6*, p 2.

⁹⁴ Mr Nick W, *Submission 6*, p 2.

⁹⁵ Mr Nick W, *Submission 6*, pp 2-3.

⁹⁶ Ms Cathy Weeden, *Submission 7*, p 2.

⁹⁷ Ms Cathy Weeden, *Submission 7*, p 3.

⁹⁸ Names withheld, *Submission 11*, p 3.

⁹⁹ Mr Nick W, *Submission 6*, p 1; Mr Lachlan Cairns, *Submission 5*, p 3.

¹⁰⁰ Care, *Submission 22*, p 7; Mr Geoffrey Buchannan, Policy Advocacy and Business Development Director, Care, *Committee Hansard Proof*, 15 October 2025, p 21.

¹⁰¹ Name withheld, *Submission 21*, p 3.

penalties and interest were fairly applied, saying that the debt recovery process felt more appropriate for someone who had been purposefully avoiding their tax liability.¹⁰²

- 2.67. The author of submission 19 similarly felt that the application of penalties was extreme, particularly given they had self-reported:

These penalties are excessive for a young family who simply made a mistake and relied on professional advice. As soon as we were made aware of the error, we made immediate amends to correct it despite the stressful circumstances and financial implications we faced. We do not believe such deterrence is appropriate or required where there was no ill intent from a young family of good character and have left us feeling like deliberate tax evaders or even criminals.¹⁰³

Tone and style of communication

- 2.68. Several submitters to this inquiry felt that in being notified of their HBC debt, or in their correspondence with the ACTRO following the initial reassessment notice, they were made out to feel like criminals despite not intentionally seeking to defraud the Government.

- 2.69. For instance, Lachlan Cains expressed this very view:

The language used by the commissioner's delegates is threatening in tone, simply stating large penalties have been applied with unreasonably short payment timeframes, and if they're not met then additional penalties will be applied. This results in working rate-payers being made to feel like criminals.¹⁰⁴

- 2.70. This was echoed by the submission of Mr Ed Cocks MLA, who noted constituent feedback on the ACTRO's approach to retrospective debts more broadly: 'Rather than acknowledging life circumstances or honest mistakes, many of my constituents feel the Office's approach to retrospective recovery seems to treat them as if they were a criminal out to rot the system'.¹⁰⁵

- 2.71. The author of Submission 14 outlined their experience of receiving increasingly more aggressive correspondence from the ACTRO:

I immediately responded to the notice saying I had no idea I was no longer entitled to the waiver and for them to let me know how to pay the \$10,012 that had been waived. Following this was a series of escalating aggressive emails from ACT Revenue, first charging me \$7000 in interest and penalties (for a debt I had only just found out about), then rejecting my offer to pay the amount over 2 years, then when I offered to pay \$800 a month (which I have not been able to meet every month) they said they may still take debt collection activity and said I should take out a loan to pay the whole amount. The entire process appears to be aimed at people who have been purposefully avoiding paying taxes, at no stage

¹⁰² Names withheld, *Submission 14*, p 1.

¹⁰³ Names withheld, *Submission 19*, p 2.

¹⁰⁴ Mr Lachlan Cairns, *Submission 5*, p 3.

¹⁰⁵ Mr Ed Cocks MLA, *Submission 18*, p 2.

was it acknowledged that it was a) a mistake and b) that I had offered to make repayments within my means.¹⁰⁶

- 2.72. One submitter admitted that due to the tone in the initial email, they did not lodge an objection, as they did not think it would be likely to succeed, and ‘would be left with a larger debt due to the accrual of additional interest’.¹⁰⁷ They instead opted to pay approximately two-thirds of the debt by the due date and arranged a payment plan for the remaining 12 months, in which approximately 27% of their take home salary went towards the debt each month.¹⁰⁸ This put significant financial pressure on them, leading them to significantly modifying their behaviour to ensure the debt payment was priorities:

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.¹⁰⁹

- 2.73. Ms Cathy Weeden also felt that the reassessment letters were sent at psychologically vulnerable times such as late on the eve of public holidays, compounding the distress she felt and limiting access to support services.¹¹⁰ She also was of the view the process lacked transparency as no warnings were given, and no additional documentation was requested upon application. Further, there was no opportunity given to her to clarify or amend the application before the imposition of penalties.¹¹¹
- 2.74. Ms Cathy Weeden also felt that the letters provided by the ACTRO heavily used intimidating legal precedents, which she considered were designed to discourage challenges or objections. She further observed that support services were not offered.¹¹²
- 2.75. Submission 20: ‘At every step, ACT Revenue has applied rigid rules with little consideration of financial hardship, family responsibilities, or fairness. It has been the most distressing experience communicating with the ACT Revenue office’.¹¹³
- 2.76. The Australian Multicultural Action Network (AMAN) wrote in its submission that the letters are often written in technical legal language, causing confusion, and that there is a lack of easily accessible plain English guides explaining eligibility criteria, the consequences of reassessment and options available in case of a dispute.¹¹⁴
- 2.77. The AMAN outlined in their submission concerns with the reassessment process, writing that the process by which concession recipients are later reassessed is unclear and poorly communicated, and that individuals have received retrospective notices months or even years after purchase, with little opportunity to clarify their position before debts are

¹⁰⁶ Names withheld, *Submission 14*, p 1.

¹⁰⁷ Name withheld, *Submission 21*, p 2.

¹⁰⁸ Name withheld, *Submission 21*, p 2.

¹⁰⁹ Name withheld, *Submission 21*, p 2.

¹¹⁰ Ms Cathy Weeden, *Submission 7*, p 3.

¹¹¹ *Submission 7*, p 3.

¹¹² *Submission 7*, p 5.

¹¹³ Names withheld, *Submission 20*, p 3.

¹¹⁴ AMAN, *Submission 9*, p 3.

imposed.¹¹⁵ They went on in their submission to highlight that individuals are given short deadlines to respond to reassessment letters, and the deadlines often do not account for the complexity of obtaining documents, or seeking financial advice.¹¹⁶

- 2.78. In particular, in their submission they observed the language and communication processes used by ACTRO to be ‘beyond a person’s typical ability.’¹¹⁷
- 2.79. Mr Ed Cocks MLA was appalled at the way the ACTRO appeared to pursue retrospective debts:

At an increasing rate, it appears the ACT Revenue Office has pursued people for retrospective debts which the people concerns were entirely unaware they may owe. The Office often then applies high rates of both compounding penalty interest and penalty taxes, and sends residents letters that read like threats, including in relation to both further application of penalty interest, and in relation to debt collection activities; both of which can occur while a matter is being appealed.¹¹⁸

Recommendation 7

The Committee recommends that the ACT Government assessment and debt notices implement plain-English, trauma-informed templates that clearly explain decisions, set out rights of review and available support.

Application of discretion

- 2.80. Submissions outlined instances where the ACTRO appeared to not make use its discretionary powers to make special consideration of personal or legal circumstances.¹¹⁹
- 2.81. For example, in her submission, Ms Cathy Weeden in her submission told the committee that the ACTRO told her that they do not have discretion to consider personal or legal circumstances. She argued that if this is true, it is not only inappropriate, but potentially unlawful on the basis of administrative law principles and procedural fairness expectations.¹²⁰
- 2.82. She argues that her claims of hardship and the relevant family law orders in support of a debt waiver were dismissed.¹²¹
- 2.83. Submission 19 similarly felt that discretion was not applied by the ACTRO: ‘In our dealings with the delegate for ACT Revenue, discretion was non-existent. This was evident through

¹¹⁵ *Submission 9*, p 2.

¹¹⁶ *Submission 9*, p 2.

¹¹⁷ Name withheld, *Submission 4*, p 2.

¹¹⁸ Mr Ed Cocks MLA, *Submission 18*, p 2.

¹¹⁹ Mr Nick W, *Submission 6*, p 2; Ms Cathy Weeden, *Submission 7*, p 4-5. The Salvation Army, *Submission 17*, p 11; Names withheld, *Submission 19*, p 2.

¹²⁰ *Submission 7*, p 3.

¹²¹ *Submission 7*, p 3.

communication that dismissed our circumstances and continued to make us feel like [...] deliberate tax evaders'.¹²²

- 2.84. Submission 19 too felt that there was a lack of consideration by the ACTRO for their individual circumstances:

We engaged in the appeal process not to object the payment of stamp duty, but to object the excessive penalties that were applied because of non-payment, given the presence of exceptional circumstances. The response we received, close to 6 months after our submission, was that our objection was disallowed. What followed in the reasons statement was a lack of consideration, empathy or acknowledgement. It was a double-down of the initial reassessment, intended to further impose the feelings of being a deliberate tax evader, and criminal. It consisted of references to case law, and paid no consideration or discretion to our circumstances.¹²³

- 2.85. They highlighted that the reassessment process in their case did not even ask for special consideration of exceptional circumstances:

Fairness is not applied to reassessments. The reassessment determination provided referred to the fact that there were no exceptional circumstances we faced. At no stage was this asked of us. Therefore, the determination was made without adequate procedural fairness being applied.¹²⁴

- 2.86. Submission 11 also observed the unfair exercise of discretion in relation to land tax, noting that the Minister has the power under section 35 of the *Land Tax Act 2004* to reduce or waive penalties and interest if 'fair and reasonable in the circumstances', but that the ACT Ombudsman observed in his report *What's fair? Collecting historical Debts* that the ACTRO lacks a fair and reasonable approach to addressing historical land tax.¹²⁵

- 2.87. They argued that in their case, no discretion was used at all, demonstrating in their view, 'a lack of understanding of fairness or a policy of deliberate non-application'.¹²⁶

- 2.88. Ms Kasey Kaczmarczyk argued that the absence of a clear process for special consideration or a timely response from ACT revenue leaves affected individuals in a holding pattern that is both frustrating and disheartening.¹²⁷

- 2.89. Mr Lachlan Cairns too highlighted issues with the lack of consideration:

The reassessment process was transparent and was concerned in applying the letter of the law. It showed no regard for the intent of the law, fairness, or

¹²² Names withheld, *Submission 19*, p 2.

¹²³ Names withheld, *Submission 19*, p 2.

¹²⁴ Names withheld, *Submission 19*, p 1.

¹²⁵ Names withheld, *Submission 11*, p 2.

¹²⁶ Names withheld, *Submission 11*, p 2.

¹²⁷ *Submission 3*, p 3.

consideration of the financial impacts. This is despite the discretion specifically afforded to the commissioner under the Tax Administration Act.¹²⁸

- 2.90. Ms Cathy Weeden considered that the way in which the ACTRO administers the scheme is flawed, as ‘distinct life circumstances are evaluated under a single policy framework designed without the flexibility or compassion required for cases of hardship, trauma, or legal obligation’.¹²⁹ Despite multiple attempts to appeal to both the Minister and the ACTRO, her concessional duty payment was still removed.
- 2.91. She highlighted that in her case no discretion was applied despite court orders and clear evidence that the home purchase was the result of a family law separation, which is not a typical concessional transaction.¹³⁰
- 2.92. The author of submission 10 outlined how they sought an appeal with ACTRO to either reverse their decision or at least waive the penalty and interest, due to their father passing away and the funeral arrangements being made at the time of receiving the notice from ACTRO. Despite these circumstances, the ACTRO refused to change their decision, which the author of submission 10 stated caused them significant trauma as a difficult time¹³¹
- 2.93. The author of submission 11 considered that the approach undertaken by ACTRO towards these debts was ‘indistinguishable from predatory debt practices undertaken by loan sharks and other organised criminal syndicates’.¹³²
- 2.94. Another submission told the Committee that they repeated requests for special consideration were rebuffed by the ACTRO: ‘Despite repeated pleas for compassion and flexibility, we have been told “the matter is final”, with no meaningful assistance offered’.¹³³
- 2.95. Mr Lachlan Cairns proposed capping penalties based on means, or for the Commissioner and ACTRO to exercise their discretion in reducing or waiving penalties more frequently.¹³⁴ Mr Lachlan Cairns was of the view that while the amount of discretion was adequate, the Commissioner’s delegates have ‘shown no willingness to exercise this power’.¹³⁵ He proposed that it be made clear to all delegates of the Commissioner that the discretion does exist and that the delegates have the authority to exercise it.¹³⁶

Committee Comment

- 2.96. The Committee finds that interest and penalty charges under the HBCS retrospective assessment program were applied as blunt instruments, without sufficient regard to individual circumstances, vulnerability, or whether individuals had engaged with the

¹²⁸ Submission 5, p 2.

¹²⁹ Submission 7, p 1.

¹³⁰ Ms Cathy Weeden, Submission 7, p 3.

¹³¹ Name withheld, Submission 10, p 2.

¹³² Names withheld, Submission 11, p 2.

¹³³ Names withheld, Submission 20, p 3.

¹³⁴ Mr Lachlan Cairns, Submission 5, p 2.

¹³⁵ Mr Lachlan Cairns, Submission 5, pp 3,4.

¹³⁶ Mr Lachlan Cairns, Submission 5, p 3.

process in good faith. This result in life-altering debts for people who had made honest mistakes in interpreting complex eligibility criteria.

- 2.97. The Committee also finds that the design and implementation of the retrospective assessment program failed to adequately account for its human impact, with the scale of debts, compounding interest and tone and timing of communications, this resulted in many individuals feeling treated as criminals despite their attempts to comply with the law.

Recommendation 8

The Committee recommends that the ACT Government establish a transparent, principles-based framework for interest, penalties, hardship and remissions across ACT Revenue Office programs.

Recommendation 9

The Committee recommends that the ACT Government establish a formal process for applicants to request a compassionate review of penalties, interest, or fines, where non-compliance was accidental or due to hardship.

Recommendation 10

The Committee recommends that in implementing a formal compassionate review process, the Government include consideration of domestic violence, mental health, financial instability, or language barriers as mitigating factors.

- 2.98. During a Ministerial Statement to the Legislative Assembly on 25 June 2025, the Minister for Finance, Ms Rachel Stephen-Smith MLA detailed some changes to the ACTRO processes for debt collection, saying:

Taxpayers engaging in the review process can now choose to make a voluntary disclosure before an investigation formally commences, leading potentially to lower penalties and interest.¹³⁷

- 2.99. At the hearing on 15 October, it was confirmed that that penalty rates can be reduced by 80 percent following voluntary disclosure.¹³⁸
- 2.100. While reductions in penalty and interest rates of any amount are available to be applied at the Commissioner for ACTRO's discretion,¹³⁹ a recent Ombudsman report found that the ACTRO does not always follow its own guidelines for consideration of penalties and

¹³⁷ Ms Rachel Stephen-Smith MLA, Minister for Finance, *Legislative Assembly Hansard*, 25 June 2025, p 1914.

¹³⁸ Ms Lisa Holmes, Acting Commissioner Revenue, ACTRO, Chief Minister, Treasury and Economic Development Directorate, *Committee Hansard*, 15 October 2025, p 40.

¹³⁹ *Taxation Administration Act 1999*, s 29 and s 37.

interest.¹⁴⁰ According to the report, the ACTRO outlined that it applies penalty and interest rates on a case-by-case basis, taking into consideration mitigating factors such as:

- the taxpayer's compliance record;
- whether the taxpayer took steps to mitigate the circumstances that resulted in the tax debt; and
- whether the ACTRO itself contributed to any delays, errors or omissions in assessment the tax default.¹⁴¹

2.101. However, the report found that the ACTRO's 'internal decision making for calculating penalty tax and interest did not always consider the above factors prior to issuing an assessment notice.'¹⁴² The report detailed several cases studies where penalties and interest were initially applied but removed or refunded following objection.¹⁴³ It said:

[The ACT Ombudsman] believe [the ACT Revenue Office] should be making fairer decisions on calculating penalty tax and interest which shows better consideration of the factors outlined in the Revenue Circulars prior to issuing an assessment.¹⁴⁴

Committee Comment

2.102. The Committee acknowledges that the use of penalty and interest rates on historical tax debt is a deterring factor to people who would otherwise not pay their tax liabilities. However, their use should be weighed against the potential for financial harm and the circumstances of each individual. Reduction of these punitive fees for people suffering from misfortune are appropriate and in line with community expectations.

Recommendation 11

The Committee recommends that the ACTRO introduce a cap on interest charges for cases where non-compliance is self-reported.

Recommendation 12

The Committee recommends that the ACTRO align interest policies with community expectations of proportionality and fairness.

Payment plans

2.103. HBCS debts are repayable within eight weeks of the issue date of a notice of reassessment, which is a recent increase from a standard due date of three weeks. If a person is unable to

¹⁴⁰ ACT Ombudsman, *What's Fair? Collecting historical debts*, May 2025, p 16.

¹⁴¹ ACT Ombudsman, *What's Fair? Collecting historical debts*, May 2025, p 15.

¹⁴² ACT Ombudsman, *What's Fair? Collecting historical debts*, May 2025, p 16.

¹⁴³ ACT Ombudsman, *What's Fair? Collecting historical debts*, May 2025, pp 13, 15, 16.

¹⁴⁴ ACT Ombudsman, *What's Fair? Collecting historical debts*, May 2025, p 16.

make payment by the due date, they can apply for a payment plan. Payment plans are offered for up to 12 months, and are subject to compound interest.¹⁴⁵

- 2.104. Evidence received by the Committee describes the payment plans as unaffordable for many. Several submissions highlighted that despite good faith attempts by people to commence paying off the debt by proposing a long-term payment plan, they were informed that there was a maximum of 12 months with mandatory monthly payments. Requests for longer terms of interest suspension were also denied despite financial hardship.¹⁴⁶
- 2.105. One submitter said that they could not afford the repayments under the payment plan they were offered, and instead used a bank loan to pay their debt.¹⁴⁷ Another arranged a payment plan for a portion of their debt which ended up costing 27 percent of their monthly take-home pay, causing them significant stress, delayed medical and dental appointments, and late payments on other bills.¹⁴⁸
- 2.106. Another submitter felt that the 12-month period for the repayment was not long enough considering the size of the debt and other circumstances: 'The blanket policy of 12 months for individuals does not reflect the reality of large debts, inflation, or family financial strain'.¹⁴⁹
- 2.107. Community sector representatives confirmed that many people find the ACTRO payment plans to be difficult. Ms Baines, a Financial Counsellor from the Salvation Army, said that governments are 'the most difficult creditors to deal with',¹⁵⁰ and Ms Mayes from Care said that for some people, the process of trying to enter a payment plan was so difficult that they gave up on trying.¹⁵¹
- 2.108. The submission from Care states that the ACTRO's repayment options are inadequate and 'can hinder financial stabilisation, cause significant distress and disengagement, and result in greater and unmanageable debt'.¹⁵²
- 2.109. The ACT Government has noted that they do not intend to take the place of creditors for people with tax debts. Their submission said:

Payment plans are not intended to provide terms and conditions comparable with financial lenders like banks. The Revenue Office does not have the capability or capacity to assess the creditworthiness of debtors and offer individualised repayment arrangements.

The Revenue Office encourages taxpayers to seek professional advice and source alternate financing that may offer better terms.¹⁵³

¹⁴⁵ ACT Government, *Submission 16*, p 20.

¹⁴⁶ Names withheld, *Submission 20*, p 2.

¹⁴⁷ Names withheld, *Submission 11*, p 1.

¹⁴⁸ Name withheld, *Submission 21*, p 2.

¹⁴⁹ Names withheld, *Submission 20*, p 3.

¹⁵⁰ Mrs Sarah Baines, Financial Counsellor, The Salvation Army, *Committee Hansard Proof*, 15 October 2025, p 26.

¹⁵¹ Ms Leasa Mayes, Director and Financial Counsellor, Care, *Committee Hansard Proof*, 15 October 2025, p 19.

¹⁵² *Submission 22*, p 2.

¹⁵³ *Submission 16*, p 20.

- 2.110. Representatives from Care did note in their evidence at the hearing that the Government does work with them on a debt stabilisation program, mainly for overdue rates, which involves putting collection on hold for 12-18 months while Care works out a budget with the individual.¹⁵⁴
- 2.111. The Minister for Finance, Ms Rachel Stephen-Smith MLA also told the Legislative Assembly in her ministerial statement in June that the ACTRO was 'considering options for providing longer repayment terms where alternative finance cannot be obtained.'¹⁵⁵

Committee Comment

- 2.112. In order to offer genuine assistance to people with significant tax debts, the ACTRO should offer more flexible payment plans which take into account individual circumstances such as current or potential financial hardship and pre-existing vulnerabilities.

Recommendation 13

The Committee recommends that the ACT Government provide tailored repayment plans for duty reassessments resulting from non-compliance, especially where large sums are involved.

The adequacy of the objections and appeals process

- 2.113. A number of submissions questioned the objections and appeals process.
- 2.114. The author of submission 4 observed that the timeframes by which they had to submit documentation to ACTRO versus the timeframes for ACTRO to respond to is disproportionate.¹⁵⁶
- 2.115. Mr Lachlan Cains too observed a clear gap in the time in which those assessed were expected to respond and pay versus the timeframes for the ACTRO, writing: 'Furthermore, whilst the reassessment provided less than one month to repay a significant amount of money owed, it did not allow time for an objection/appeal of the decision (which too close to 6 months)'.¹⁵⁷
- 2.116. The timeframe of the appeals process was also criticised by Mr Lachlan Cairns, who considered the time taken in assessing objections and appeals was too long and led to significant financial impacts:

Reassessment took in excess of 12 months from our submission, allowing the ACTRO to levy us with thousands of dollars in penalty interest. This is despite the delay being caused wholly by the ACTRO, and our offer to provide the relevant information with our original submission.¹⁵⁸

¹⁵⁴ Ms Leasa Mayes, Director and Financial Counsellor, Care, *Committee Hansard Proof*, 15 October 2025, p 22.

¹⁵⁵ Ms Rachel Stephen-Smith MLA, Minister for Finance, *Legislative Assembly Hansard Proof*, 25 June 2025, p 1916.

¹⁵⁶ Name withheld, *Submission 4*, p 2.

¹⁵⁷ *Submission 5*, p 2.

¹⁵⁸ *Submission 5*, p 3.

- 2.117. He also considered that all penalties must be put aside until the objections process is fully resolved, with no additional interest accrued.¹⁵⁹ This is because they considered that ‘Allowing the ACTRO to collect lucrative penalties from their own internal delays is inappropriate, and if deliberate would constitute corrupt conduct’.¹⁶⁰
- 2.118. Ms Cathy Weeden in her submission argued that the time delays in being notified of an outcome of an appeal were lengthy and added considerable stress.¹⁶¹
- 2.119. The authors of submission 4 similarly expressed dismay and frustration with the constant delays to a resolution to their situation and lack of communication, with there being no formal outcome at least 9 months on from the formal objection being lodged by the Conveyancer, and at least 14 months on from the original Notice of Reassessment in April 2024. This is despite constant follow-ups with the ACTRO and at least one instance in February 2025 of an assurance from the ACTRO that the submitters would have an outcome within a month.¹⁶²
- 2.120. The author of submission 14 in their submission highlighted that while they had lodged an objection in October 2024, they were still yet to receive a response, with no indication as to when it would be resolved. They too noted that while they also appealed to the ombudsman, the ombudsman informed them they cannot do anything until the objection is decided, writing they are ‘completely beholden to an objection process with no discernible end date’.¹⁶³ They have only received an acknowledgement of the objection.¹⁶⁴
- 2.121. Mr Nick W expressed the view that the objections process is ‘absolutely pointless and a waste of time for us and the Government’.¹⁶⁵ In his submission he informed the committee that he completed an FOI request, in which it was revealed that for the 2022/23 financial year through to the year to date) 73 cases had been formally contested with one being “successful or partially successful”, or a 1.5% success rate.¹⁶⁶
- 2.122. Mr Nick W expressed the view that with such a low chance of success ‘it is clear that there is no point appealing’, and that instead the process should be dispensed with and the resources instead used for confirming whether people are eligible for the concession in the first place. He also considered the process to be a ‘black box’, in which there was no way of tracking where things were up to.¹⁶⁷
- 2.123. Another submitter considered the objections process limited: ‘The appeals process is extremely limited, particularly the potential for review of the excessive interest charged, as there is not further options beyond that of the appeal. Remittance of interest charges is not a reviewable decision by ACAT’.¹⁶⁸

¹⁵⁹ Mr Lachlan Cairns, *Submission 5*, p 2.

¹⁶⁰ Mr Lachlan Cairns, *Submission 5*, p 3.

¹⁶¹ *Submission 7*, p 5.

¹⁶² Name withheld, *Submission 4*, pp 1–2.

¹⁶³ Name withheld, *Submission 14*, p 2.

¹⁶⁴ Name withheld, *Submission 14*, p 2.

¹⁶⁵ *Submission 6*, p 2.

¹⁶⁶ *Submission 6*, p 3.

¹⁶⁷ *Submission 6*, p 3.

¹⁶⁸ Names withheld, *Submission 19*, p 3.

- 2.124. They also considered it a process in which the negatives outweighed the positives:

Considering the time taken, and funding used to procure to lawyer who responded, it is worth considering if the expense would be better spared waiving the initial interest charges. As it currently stands, there is little point to going through the stress and anxiety of raising an objection. The appeals process is outdated, and its only achievement is prolonging the generation of government revenue.¹⁶⁹

- 2.125. The AMAN pointed out that while objection rights exist, they are not clearly outlined in communication material, and that decisions are often presented as final.¹⁷⁰

Committee Comment

- 2.126. The Committee is concerned to hear about significant time delays in the providing an outcome to those who have appealed their reassessment notice, particularly given the interest penalty continued to be applied during that period.
- 2.127. The Committee also considers that delays to an objection outcome of two months or greater is unacceptable given the considerable mental and financial stress that the reassessment process places on individuals, and the fact that by that point the ACTRO already has available to it most information it needs to review an individual's HBCS debt.
- 2.128. The Committee also considers it unethical that the ACTRO continues to charge interest while an objection process is underway.

Recommendation 14

The Committee recommends that the ACT Government ensure objections are assessed and decided within 60 days of lodgement.

Recommendation 15

The Committee recommends that the ACT Government freeze interest and recovery actions while objections or ACAT proceedings are underway.

3. Conclusion

- 3.1. The Committee received concerning evidence in this inquiry about the aggressive and inconsiderate pursuit of HBCS debts by the ACTRO. Improvements are required across multiple areas of the scheme. This includes providing clearer information and improved communication to applicants and those facing reassessment, and taking into greater consideration the individual circumstances of people subject to reassessment.
- 3.2. The Committee acknowledges the work undertaken by the ACT Government to date to address and improve some of the areas where negative impacts on individuals have been

¹⁶⁹ Names withheld, *Submission 19*, p 3.

¹⁷⁰ *Submission 9*, p 2.

identified. While the Government is to be commended for this work, there is still more to be done.

3.3. The Committee makes 15 recommendations.

James Milligan MLA

Chair

15 December 2025

Appendix A: Submissions

No.	Submission by	Received	Published
1	Greg Tannahill	21/05/25	27/05/25
2	Name Withheld	06/06/25	17/06/25
3	Kasey Kaczmarczyk	08/06/25	17/06/25
4	Name Withheld	13/06/25	01/07/25
5	Lachlan Cairns	09/07/25	21/08/25
6	Nick W	15/07/25	21/08/25
7	Catherine Weeden	27/07/25	22/09/25
8	Yannick Arekion	03/08/25	21/08/25
9	Australian Multicultural Action Network	04/08/25	21/08/25
10	Names Withheld	12/08/25	28/08/25
11	Names Withheld	15/08/25	28/08/25
12	Eastlake Football Club Limited	20/08/25	28/08/25
13	Confidential	25/08/25	28/08/25
14	Names Withheld	25/08/25	28/08/25
15	ACT Ombudsman	25/08/25	28/08/25
16	ACT Government	27/08/25	02/09/25
17	The Salvation Army	29/08/25	09/09/25
18	Ed Cocks MLA	29/08/25	09/09/25
19	Names Withheld	29/08/25	09/09/25
20	Names Withheld	29/08/25	09/09/25
21	Name Withheld	29/08/25	09/09/25
22	Care	15/10/25	15/10/25

Appendix B: Witnesses

Wednesday, 15 October 2025

Minister

Ms Rachel Stephen-Smith MLA, Minister for Finance

Individual

- **Ms Catherine Weeden**
- **Ms Stephanie Dora Simpson**

The Salvation Army

- **Mrs Sarah Baines**, Financial Counsellor
- **Miss Emily Paige Seiler**, Policy and Advocacy Adviser
- **Mr Joshua Gani**, Senior Policy and Advocacy Adviser

Australian Multicultural Action Network

- **Mr Ravi Krishnamurthy**, President

Care Financial Counselling

- **Ms Leasa Mayes**, Director and Financial Counsellor
- **Mr Geoffrey Buchanan**, Policy Advocacy and Business Development Director

ACT Ombudsman

- **Ms Joanne Mulder**, Acting Deputy ACT Ombudsman
- **Ms Katrina Dwyer**, Senior Assistant Ombudsman, Defence, Investigations, ACT and Legal Branch

Chief Minister, Treasury and Economic Development Directorate

- **Mr Mitch Pirie**, Acting Under Treasurer
- **Ms Lisa Holmes**, Acting Commissioner; Revenue Management; Economic, Revenue and Insurance; Treasury

Appendix C: Questions on Notice and Questions Taken on Notice

Questions Taken on Notice

No.	Date	Asked of	Subject	Response received
1	15/10/25	ACT Ombudsman	Communicating the services of the Ombudsman	30/10/25
2	15/10/25	CMTEDD	Assessment of applications for the Home Buyer Concession Scheme	30/10/25
3	15/10/25	CMTEDD	Assessment of applications for the Home Buyer Concession Scheme	30/10/25
4	15/10/25	CMTEDD	Compliance checks for Home Buyers Concession Scheme	30/10/25

Appendix D: Gender distribution of witnesses

Beginning in April 2023, in response to an audit by the Commonwealth Parliamentary Association, Committees are collecting information on the gender of witnesses. The aim is to determine whether committee inquiries are meeting the needs, and allowing the participation of, a range of genders in the community. Participation is voluntary and there are no set responses.

Gender indication	Total
Female	9
Male	4
Non-binary	0
Gender neutral	0
No data	0