

Overview of 99-year home ownership leases

What are 99-year home ownership leases?

The 99-year home ownership lease (sometimes called a private residential lease) provides an opportunity for Aboriginal and Torres Strait Islander people to purchase their own home on Indigenous communal lands. Trustees of Indigenous communal lands can grant 99-year home ownership leases to people who want to own their own home. This includes land that has a social housing home on it.

Land can be leased with an existing house on it or applicants can build one. A house must be built within eight years of the lease being granted and must meet the standards in the *Building Act 1975*.

A 99-year home ownership lease can be renewed, as long as it is for home ownership purposes. The leaseholder, or their beneficiary, must make an application in writing, to the Trustee, to renew the lease before it expires.

Am I eligible to apply for a 99-year home ownership lease?

To be eligible to apply, you must be:

- an Indigenous person, or
- a spouse, or former spouse of an Indigenous person (a spouse includes a de facto partner and/or a registered partner).

Meeting these criteria allows you to apply for a 99-year home ownership lease but does not guarantee you will be granted one.

How do I apply for a 99-year home ownership lease?

You need to complete the following form:

- Expression of Interest (EOI) in the lease of Aboriginal Deed of Grant in Trust (DOGIT) land – Form 1.

You can get the forms from your local Trustee, or by phoning the Queensland Government Home Ownership Team or visit www.dnrme.qld.gov.au (contact details are below). Fill out the form and return it to your local Trustee. The Home Ownership Team can provide you with the contact details for your local Trustee.

How are 99-year home ownership leases granted?

The Trustee decides if they will grant a lease but must notify the community of their intention to grant it. If the lease includes a social housing home, the Trustee must also gain approval from the Queensland Government before they grant the lease.

Can I have more than one 99-year home ownership lease?

You can only buy the house where you are the tenant, you can also have another home ownership lease over a vacant lot. The leases cannot be sub-leased to someone else but can be rented out through a residential tenancy agreement, with permission of the lender, if there is a loan involved.



What happens when the lease is granted?

Once you have the lease, and have purchased the home, you must live in the house if you are receiving loan finance from Indigenous Business Australia. You may be given short-term approval to rent the home out in special circumstances, but you will need to call Indigenous Business Australia to discuss it.

You can sell/transfer your house and lease at a later date but must talk to the trustee first to find out about the lease conditions. The sale/transfer is subject to Trustee approval.

As the homeowner you will own your home but not the land. The land is leased to you and remains in trust for the benefit of the community. However, you have exclusive use of the land which means the general community cannot enter or use the property without your permission.

If there is no house on the land when you lease it, you are required to build a house within eight years.

More information

- Home Ownership Team DSDSATSIP: 1800 001 931
- DCHDE (formerly DHPW): 07 4036 5520
- Indigenous Business Australia: 1800 107 107
- Forms: www.dnrme.qld.gov.au