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- (e) an eligible participant residing at the dwelling has:
    - (i) given notice to terminate the eligible participant's occupancy; or
    - (ii) been given notice to vacate the dwelling;
  - (f) a vacancy arises that is available to be filled by an eligible participant;
  - (g) the provider proposes to charge an eligible participant rent that exceeds the amount worked out by adding:
    - (i) the amount that the eligible participant is entitled to receive under the National Disability Insurance Scheme for specialist disability accommodation; and
    - (ii) the reasonable rent contributions (as worked out under the SDA Pricing and Payments Framework) payable by the eligible participant.
- (2) The provider must notify the CEO of the matters mentioned in subsection (1) within 5 business days of the event occurring.
- (3) If the provider is notifying the CEO for the purposes of paragraph (1)(g), the provider must include with the notice a certificate from a qualified property valuer stating that the rent to be charged is fair and reasonable.

**30 Condition—certification of enrolled dwellings**

- (1) An SDA provider must, if requested by the CEO, arrange for another person to certify that the information and matters provided at the time of enrolment for a dwelling continue to apply to the dwelling.
- (2) The CEO may make the request by giving notice to the provider in writing.
- (3) The notice must specify:
  - (a) requirements relating to the qualifications and independence of the person that is to undertake the certification; and
  - (b) the period within which the certification must be given to the CEO.

**Subdivision C—Density restriction**

**31 Density restriction**

- (1) The density restriction applies in relation to a parcel of land if:
  - (a) the parcel of land has 2 or more dwellings; and
  - (b) at least one of those dwellings is either:
    - (i) a new build; or
    - (ii) existing stock.
- (2) If the density restriction applies in relation to a parcel of land, the total number of eligible participants that can receive funding for specialist disability accommodation in relation to all dwellings located on the parcel of land must not exceed:
  - (a) if one of the dwellings on the parcel of land is enrolled to house 3 or more residents—the greater of the following:
    - (i) 10 eligible participants;

- (ii) 10% of the total number of residents capable of residing on the parcel of land, assuming one resident per bedroom; or
  - (b) if all of the enrolled dwellings on the parcel of land are enrolled to house no more than 2 residents and the dwellings are part of an intentional community—the greater of the following:
    - (i) 15 eligible participants;
    - (ii) 25% of the total number of residents capable of residing on the parcel of land, assuming one resident per bedroom; or
  - (c) if all of the enrolled dwellings on the parcel of land are enrolled to house no more than 2 residents and the dwellings are not part of an intentional community—the greater of the following:
    - (i) 15 eligible participants;
    - (ii) 15% of the total number of residents capable of residing on the parcel of land, assuming one resident per bedroom.
- (3) An **intentional community** is a residential community with the following features:
  - (a) the community is designed to have a high degree of social cohesion, achieved through teamwork and agreed shared values;
  - (b) the members of the community have chosen to live together based on common social values and have committed to the principle of mutual support;
  - (c) the community has a defined and explicit agreement under which residents have agreed to live in accordance with shared common values, including the principle of mutual support;
  - (d) the community is controlled by the members or residents and is not governed by a single entity such as a support provider;
  - (e) the community includes general market housing, and is not solely designed to provide supported accommodation services.
- (4) A **parcel of land** is:
  - (a) for land in New South Wales:
    - (i) the land that forms a parcel for the purposes of the *Strata Schemes Development Act 2015* (NSW); or
    - (ii) the land that forms a community parcel, neighbourhood parcel or precinct parcel for the purposes of the *Community Land Development Act 1989* (NSW); or
    - (iii) for land not covered by subparagraph (i) or (ii)—the land covered by a folio of the Register for the purposes of the *Real Property Act 1900* (NSW); or
  - (b) for land in Victoria:
    - (i) the land covered by a registered plan for the purposes of the *Subdivision Act 1988* (Vic.); or
    - (ii) for land not covered by subparagraph (i)—the land covered by a folio of the Register for the purposes of the *Transfer of Land Act 1958* (Vic.); or
  - (c) for land in Queensland:

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- (i) the land covered by a mixed use scheme for the purposes of the *Mixed Use Development Act 1993* (Qld); or
  - (ii) the land covered by a building units plan or a group titles plan for the purposes of the *Building Units and Group Titles Act 1980* (Qld); or
  - (iii) the land covered by a community titles scheme for the purposes of the *Body Corporate and Community Management Act 1997* (Qld); or
  - (iv) for land not covered by subparagraphs (i) to (iii)—the land that comprises a lot for the purposes of the *Land Title Act 1994* (Qld); or
  - (d) for land in Western Australia:
    - (i) the land covered by a registered strata/survey-strata plan for the purposes of the *Strata Titles Act 1985* (WA); or
    - (ii) for land not covered by subparagraph (i)—the land covered by a certificate of title for the purposes of the *Transfer of Land Act 1893* (WA); or
  - (e) for land in South Australia:
    - (i) the land comprised within an allotment (as defined in paragraph 223LA(1)(a) of the *Real Property Act 1986* (SA)); or
    - (ii) the land covered by a strata plan for the purposes of the *Strata Titles Act 1988* (SA); or
    - (iii) the land covered by a plan of community division for the purposes of the *Community Titles Act 1996* (SA); or
  - (f) for land in Tasmania:
    - (i) the land that forms part of a scheme for the purposes of the *Strata Titles Act 1998* (Tas.); or
    - (ii) for land not covered by subparagraph (i)—the land covered by a folio of the Register for the purposes of the *Land Titles Act 1980* (Tas.); or
  - (g) for land in the Australian Capital Territory:
    - (i) the land that forms a parcel for the purposes of the *Unit Titles Act 2001* (ACT); or
    - (ii) the land covered by a community title scheme under the *Community Title Act 2001* (ACT); or
    - (iii) for land not covered by subparagraph (i) or (ii)—the land covered by a certificate of title for the purposes of the *Land Titles Act 1925* (ACT); or
  - (h) for land in the Northern Territory:
    - (i) the land covered by a unit title scheme for the purposes of the *Unit Title Schemes Act 2009* (NT); or
    - (ii) for land not covered by subparagraph (i)—the land that comprises a lot for the purposes of the *Land Title Act 2000* (NT).
- (5) To avoid doubt, a reference to a law of a State or Territory in subsection (4) is a reference to that law as in force from time to time.