

Tenancy Management Policy and Procedure

Scope

This manual applies to the activities funded under the Anglicare Community Housing Programs and personnel within Anglicare North Coast (“ANC”).

ANC operate leasing programs that are: long-term leasing programs and short-term transitional leasing programs.

Purpose

The purpose of this policy manual is to describe and document the Tenancy Management Systems in practice at Anglicare North Coast (ANC).

This Manual is a central source of general policies regarding the management of tenancies that in turn authorise and govern the creation of subordinate procedures, flow charts and administration forms.

This manual provides comprehensive evidence to all funding bodies, tenants and employees of ANC. As such ANC is committed to establishing and maintaining acceptable levels of measurable quality in services.

The policies in this manual are arranged in the following order

- Policies that relate to principles of professional tenancy management practices
- Policies that relate to reasoned, researched and reviewed tenancy management practices; and
- Policies that relate to tenancy management practices by staff.
- Appendices for administration purposes.

Authority

This manual is issued under the authority of the board of directors of ANC.

Issue of the Manual

Policies are the broad statements that enshrine the principles on which the service and the management of ANC are based. Only the board may approve the setting or amending of policy. The CEO is responsible for ensuring that all staff and contractors work within policy at all times. The Chair of the Board is responsible for ensuring that Board members work within policy.

Where there is an identified gap in policy, it is permissible for interim decisions to be made by the CEO, pending the setting of the Board approved policy guidelines. Where a policy is identified as being no longer appropriate, inconsistent with other policies or inadequate, changes and new policies should be referred to the Board. Actions which represent exceptions to policy may be made in such circumstances.

Exceptions to policy will be referred to the CEO, who has delegated authority to approve policy variations on an individual basis. Exceptions to policy may be one – off actions related to a particular set of circumstances, or they may be indications that the policy needs to be changed. If in need of change, the CEO will draft an alternate document and present it to the Board within 3 months of the exception occurring.

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Ethical Tenancy Management Practices

Scope

To define the values which create the framework around which Tenancy Management Practices will be conducted within the ANC Community Housing programs.

Policy

ANC staff and the Board will observe all relevant laws of both the State and Commonwealth. ANC will ensure that all tenancy management policies and procedures reflect the following principles:

- Nothing illegal (or with potentially illegal consequences) will be done in the name of ANC or its programs
- A commitment to the social justice principles of equity, access, participation and rights;
- Strive for best practice;
- Are consistently implemented;
- Are written and accessible in a range of mediums;
- Are distributed to relevant stakeholders;
- Ensure applicant and tenant confidentiality; and
- Avoid conflict of interest
- Adhere to the ANC Corporate HR Policy Worker Code of Conduct (CORP POL HR009) and ANC Corporate Governance Policy Board Code of Conduct (CORP POL GOV008).

Responsibilities

The board will develop and approve policy in line with organisational objectives.

The CEO will contribute to policy development, resolve any conflict between the systems developed and Board approved policy.

The CEO is responsible for establishing, implementing and maintaining the tenancy management system and the procedures required to meet that system.

All community housing staff are responsible for familiarising themselves with the policy requirements, observing and implementing those requirements and procedures of the tenancy management system. Staff will be provided with amendments and changes to these policies and procedures from time to time and will be responsible for ensuring their individual copy of the manual is updated with the changes.

Management Review

The Board will continuously review this policy.

Reputation of Community Housing Sector

Scope

To define a Notifiable Incident, who is responsible for dealing with it and when an incident must be notified to the Registrar of Community Housing.

Policy

Anglicare is committed to maintaining a high standard of honesty and integrity and will remain in line with the Regulatory Code. That requires *'a community housing provider must notify the Registrar, in a timely manner, of any incident in relation to its operations that damages, or may damage, the reputation of the community housing sector'*. ANC CORP POL GEN009 Notifiable Incidents Policy defines a range of notifiable incidents, including those relating to community housing.

Procedure

Notifiable incident

A Notifiable incident is any serious event that compromises the quality of the residence or asset services, the good governance or viability of ANC and would raise public concern about the standards of probity.

The provider must notify the primary Registrar for the provider of the occurrence of any of the following within the time specified¹:

- (i) a decision to appoint a voluntary administrator to the provider or a decision to wind-up the provider--as soon as practicable after the decision,
- (ii) the appointment of a receiver to the provider--as soon as practicable after the provider learns of the appointment,
- (iii) a decision to apply for the cancellation of the provider's registration--as soon as practicable after the decision and at least 28 days before the application is made,
- (iv) a decision to conduct a vote at a meeting on a matter that could affect the provider's eligibility to be registered or its category of registration—as soon as practicable after the decision and at least 28 days before the meeting is held,
- (v) a change in the affairs of the provider that may have an adverse impact on its compliance with the community housing legislation--before or no later than 72 hours after the change,
- (vi) any other occurrence notified in writing to the provider by the primary Registrar--within the time specified in that notice, Some examples of changes in affairs (iv) that may impact on compliance:

- Significant unplanned turnover and/or loss of senior staff or board members
- significant operational restructure
- corporate mergers, de-mergers or restructure
- plans to change corporate entity type
- New affiliations with other entities or significant change to existing affiliations
- Significant system failures, for example unrecoverable data loss
- Legal action against the provider associated with potential financial and/or reputational costs
- Changes to the provider's constitution affecting the wind up clause that was in place and deemed eligible under the National Law when the provider's registration was determined. Good judgment must be exercised when deciding on what is a Notifiable incident, however some examples have been added below;
 - Serious or repeated instances of fraud, corruption or criminal conduct of a similar kind in connection with ANC operations
 - Any instances of serious or repeated breaches of ANC Code of Conduct²

¹ Community Housing Providers (Adoption of National Law) Act 2012, Section 15(2)(h), as at 2 March 2015.

² Code of Conduct Ethical

- The removal of governing body members or senior staff for misconduct or an offence
- The calling of a special or general meeting
- A motion of no confidence in the board of directors, a director or the CEO or other senior staff member.
- The dismissal of the CEO, auditor or financial officer
- The investigation of ANC by an external agency (such as a funding body or law enforcement body or integrity agency)
- Proceeding in a court of Law against ANC
- Any matter that adversely affects, or may adversely affect the financial solvency or viability ANC
- Any breach or property covenants and
- Any adverse media coverage or potential media coverage about ANC

Responsibility

All staff are encouraged to be aware of Notifiable incidents policy and procedures. Reportable incidents must be brought to the attention senior staff or board members for further action. If it is deemed a Notifiable Incident, The CEO will ensure that the incident is reported to the Registrar Community Housing in writing.

The notification will state that it is made under Part 6 of the Regulatory Code and include the following information available at the website www.rch.nsw.gov.au

- The incident, when it happened or is going to happen and the person involved
- The action taken by ANC in response to the incident
- The contact details of the person responsible for managing the providers response to the incident
- Whether the incident has been notified to any other regulators or external agencies.

Timeframe

Reporting incidents to senior staff, CEO or Board member must be attended to in a timely manner, within 1 working day of the incident having been found to have occurred.

The time frame for reporting a Notifiable incident to the Registrar Community Housing is at the earliest practicable opportunity. In most cases, notification should occur by the working day after the provider becomes aware of an incident, and no later than 3 working days afterwards.

Notification should not be delayed until after the next scheduled meeting of the governing body.

Contact Details of the NSW Registrar for Community Housing

Locked Bag 4001, Ashfield BC 1800

P: 1800 330 940 | F: (02) 8741 2522

E: registrar@facs.nsw.gov.au

W: www.rch.nsw.gov.au

Access to Service

Scope

To define the ways ANC will ensure access for all stakeholders.

Reference to National Housing Standard

Access to services of the organisation

Policy

ANC will ensure that barriers to accessibility of its service and offices are identified and systematically addressed.

Procedure

Office accessibility

Offices used by ANC will be close to public transport, well identified by signage and accessible. If at any time service users are unable to access the premises, alternative arrangements may be made to ensure access to services.

The Operating Hours

General operating hours will be Monday to Friday – between 9am to 4pm.

Operating Hours outside this will be clearly marked on the office door.

Voice Mail

Where staff are unable to personally attend to telephone contact from clients, a voice mail system will be used to allow clients to leave messages.

Communications

ANC will ensure that all written information including letters, newsletters etc. are clear and are written in plain English. ANC will make arrangements so that information can be communicated to those who may need this information in an alternative language and may use a professional interpreter service wherever appropriate and possible.

Staff must be satisfied that should the client use their own interpreter, this person is appropriately qualified and using this interpreter is in the best interests of the client. Persons used as an interpreter must be over the age of 16 years.

The written policies and procedures of ANC will be accessible to any member of the public upon request.

Specific information sheets will be available on the applicant selection criteria.

Clients are welcome to bring friends, family or advocates of their choice to any interview or meeting.

Information

Eligible applicants will be asked how they found out about ANC and this data will be collected and reviewed annually to determine whether additional information or communication strategies are required.

ANC application forms will be distributed to local Supported Accommodation Assistance Programs and updated annually.

Appropriate local inter agencies will be identified and meetings attended regularly by an ANC representative.

Tenant's Rights and Involvement

Scope

To define the ways in which ANC will foster tenants' rights.

Reference to National Housing Standards

- 3.1 Tenants Rights; and
- 3.2 Tenant Participation.

Policy

ANC is committed to the rights of tenants. Tenant rights will be documented and displayed at all ANC locations. ANC will inform tenants of their rights and will actively uphold these rights.

ANC tenants have a right to;

- Fair and non-discriminatory treatment;
- Be treated with respect;
- Have access to safe, secure, appropriate and affordable housing ;
- Participate in activities of ANC and be consulted on their housing needs and preferences;
- Be fully informed of their rights and responsibilities, have realistic expectations of what the service can provide;
- Have information held about them securely, treated sensitively and confidentially;
- Be consulted where changes to policy or the manner in which their tenancy is managed may have an adverse effect on them;
- Lodge complaints, grievances or appeals involving alleged breach of ANC principles and policy guidelines and be given information about the complaints and disputes procedures and how to access it;
- Use advocates to assist them in dealing with ANC;
- Be provided with information to ensure their rights are known;
- Request any information about the service, or express any concern or objection about rules, practices or tenancy conditions; and
- Be provided with a prompt and appropriate response to any contact with ANC.

ANC will communicate with tenants and develop strategies to increase this communication and broaden the opportunities for tenant participation.

Responsibilities

The board will develop and approve policy in line with organisational objectives.

The CEO will contribute to policy development, resolve any conflict between the systems developed and Board approved policy

The CEO will ensure that all Complaints and Appeals are dealt with in a manner consistent with ANC Corporate Policy GEN 010 Complaints and Appeals.

The CEO is responsible for establishing, implementing and maintaining the Tenancy Management manual and the procedures required to meet that system.

All staff are responsible for familiarising themselves with the policy requirements, observing and implementing those requirements and procedures of the tenancy management system.

Management Review

The Board will continuously review this policy.

Privacy and Confidentiality

Scope

To define the ways in which ANC will respect applicants and tenants right to confidentiality and privacy.

Reference to National Housing Standards

3.5 Confidentiality and Privacy

Policy

ANC respects the right to confidentiality and privacy that tenants and applicants have by law, under the Commonwealth Privacy and Personal Information Protection Act (1998). The Office of the Australian Information Commissioner has released information regarding changes to the Privacy Act. From March 2014 the Australian Privacy Principles (APP) will replace the National Privacy Principles (NPP) and Information Privacy Principles (IPP).

The new 13 APP's appear in Schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)*, which amends the *Privacy Act 1988*.

The Australian Privacy Principles replace the following:

- National Privacy Principles: Applies to Businesses
- Information Privacy Principles: Applies to Australian Government Agencies

Information is considered confidential if it was obtained from an applicant, tenant or third party and can identify an individual or is personal in nature.

ANC Corporate Policy Client Services CS003 Client Privacy Policy provides guidance to Anglicare North Coast when dealing with a client's personal information.

Procedure

Privacy and Confidentiality is necessary in the following circumstances and documentation;

- Privacy for interviews
- Protecting confidential information internally and externally
- Informed consent
- File Management
- Organisational culture

Privacy for Interviews

Applicants or tenant interviews are to be conducted in spaces which provide privacy. On many occasions applicants and tenants will share personal information. In order to respect this privacy ANC has a suitable private place in each office that can be utilised by a tenant / applicant.

Protecting confidential information internally and externally

Internally

ANC operate on a "need to know" principle. That is: information is kept confidential and only those who need the information will have access to it.

For instance, the board or a senior manager may need to know how many new tenants have been signed up, but only the person/persons who work with the tenants need to know their names. Within the organisation, discussions of a person's personal information should only occur with those who are working closely with the tenant or applicant.

Externally

Information sharing with other agencies should be limited on a similar basis. Tenants and Applicants should provide written authority before an external agency is permitted to gain access to any personal information.

Likewise, when ANC staff are gaining personal information from support agencies and / or government offices such as Centrelink and Housing NSW, the following practical principles should be adhered to:

- Only access records that have a signed consent from the client /tenant / customer;
- Use approved consent forms that are designed for ANC ;
- Consent must be signed for each record accessed, e.g. – a husband and wife must have 2 consents signed to access their records;
- Only use records for the purpose of work;
- Avoid access of records where conflicts of interest may occur i.e. – family, friends or business associates;
- Stamp any duplicate copies given to tenants / clients with the “COPY” stamp, this ensures that ANC is protected if the copy is discarded;
- Dispose of material securely, such as by shredding, when no longer required;
- Never share passwords – it is the responsibility of the user to keep all passwords secure.

Informed Consent

All Applicants and Tenants who sign a permission to release information consent form will have informed consent. ANC staff will inform the Applicants and Tenants at the time of signing of the details of their consent for releasing information. Applicants and Tenants are asked to sign a consent giving ANC permission to release personal and private information to external community agencies.

File Management

Files are stored in lockable cabinets and are archived for 7 years before shredding. Computerised files are saved in a secure environment that is password protected.

Organisational culture on Privacy Protection

All ANC stakeholders who are BoD, staff, contractors and volunteers have a responsibility to uphold this privacy policy.

These stakeholders are responsible for ensuring that they are aware of the confidentiality, privacy policy and procedure.

Complaints and Appeals

Scope

To define the way complaints and appeals will be managed to ensure highest standard of decision making.

Reference to National Housing Standard

3.6 Complaints and Appeals.

Policy

ANC welcomes complaints and views them as a way to improve its service and be accountable to applicants and tenants. Refer to ANC Corporate Policy GEN 010 Complaints and Appeals Policy.

Procedure

ANC staff are to adhere to the following principles and refer to the ANC Corporate Policy GEN 010 GLS Complaints and Appeals Guidelines.

- Applicants and tenants can complain about anything they think is unfair or which makes them unhappy in relation to the services offered to them by ANC. Applicants and tenants can involve an advocate or support person when making a complaint.
- Applicants and tenants have a right to seek external resolution at any point in the complaints process
- Applicants and tenants should be given information about appropriate external support agencies
- Complaints will be accepted in whatever form they are presented.
- Complaints received will be recorded in an appropriate manner.
- A complaint must be made or appeal lodged within three months of receipt of the service decision being made. The CEO has the discretion to consider matters outside this time frame where they are considered appropriate.
- Complaints and appeals processes will be communicated to applicants and tenants in appropriate formats.
- ANC will respond to complaints in a confidential, effective and timely manner.
- Strategies used by ANC to resolve complaints include holding discussions, the provision of information, negotiation, mediation and conciliation.

ANC will adhere to the principles of procedural fairness. ANC will provide mechanisms for the complainant or appellant to present their information and respond to ANC's reasons for its behaviour or decision. ANC will determine these matters using only clearly specified and communicated criteria, policy, procedure and documentation. ANC will take into account any individual factors. Staff whose duties include complaint handling will only act within their delegated responsibility.

Complaints data will be reported to the Board. Complaint data will be used in the quality improvement procedures.

Complaints and Appeals Contacts

Complaints and Appeals to Anglicare North Coast can be sent directly to the CEO or Administration Coordinator at PO Box 401, Grafton, NSW, 2460 or by phoning 02 6643 4844. Anglicare North Coast Complaints and Appeals Policy and Guidelines are available to all stakeholders on the [Anglicare North Coast Website](#).

External Complaints, Appeals and further advice can be obtained from:

Fair Trading NSW

Call 13 32 20 (8.30am – 5pm, Mon – Fri)

www.fairtrading.nsw.gov.au

Australian Charities and Not-for-Profits Commission

Call 13 22 62 (9am – 5pm, Mon – Fri)

www.acnc.gov.au

Service NSW

Call 13 77 88

<https://www.service.nsw.gov.au/>

National Civil and Administrative Appeals Tribunal

Call 1300 006 228

<https://www.ncat.nsw.gov.au/>

Northern Rivers Aboriginal Tenants Advocacy and Advice Service

1800 248 913 or 6643 4426

www.tenants.org.au/aboriginal-tenants

Northern Rivers Tenants Advocacy and Advice Service

1800 649 135 or 6621 1022

www.tenants.org.au/taas/nortaas

NSW Housing Appeals Committee

Call 1800 629 794 or 02 8741 2555

Email: hac@facns.nsw.gov.au

<https://www.hac.nsw.gov.au/>

Registrar for Community Housing

Phone/Fax: 1800 330 940 | F: (02) 8741 2522

Email: registrar@facns.nsw.gov.au

www.rch.nsw.gov.au

Tenancy Participation

Scope

To define the way ANC works with tenants to manage and improve the community housing services.

Reference to National Housing Standard

1.2 Tenant Participation

Policy

The aim of tenant participation is to maximize resident satisfaction with the service provided by ANC Community Housing.

Involvement by tenants is encouraged in all cases. ANC will keep tenants well informed and provide opportunities to participate in decisions concerning the tenancy management of ANC Community Housing.

ANC will seek to establish additional services for tenants and with tenants for the benefit of the community. Tenants are encouraged to establish reference groups that can be consulted to establish such services.

ANC will keep tenants informed through regular newsletters and contact with tenants.

ANC staff will ensure that policies and procedures are explained to tenants whenever necessary.

Policies and Procedures are available in ANC Offices.

ANC will regularly seek formal feedback through surveys³ & evaluations, suggestions boxes and tenancy meetings. Tenants can provide feedback online via the [Anglicare North Coast Website](#).

ANC staff will regularly seek informal feedback from tenants and individuals about the services being provided.

Tenant participation is voluntary.

ANC will identify any barriers to tenant participation and implement strategies to address these barriers.

³ Tenant Survey

Tenancy Management

Scope

To define the Anglicare North Coast commitment to and responsibilities for developing a professional tenancy management practice.

Reference to the National Housing Standards

- 1.1 Allocation of Housing
- 1.2 Establishment and Maintaining Tenancies
- 1.3 Changing Needs of Tenants
- 1.4 Ending Tenancies
- 3.5 Confidentiality and Privacy
- 4.1 Tenants Access to Support
- 4.3 Providing Housing Information, Advice and Referral.

Policy

ANC will develop tenancy management practices that are in line with National Housing Standards.

ANC will continually seek opportunities to grow to meet the needs of applicants and tenants.

ANC will openly and fairly select tenants based on an assessment which considers individual housing needs and is consistent with the aims and objectives of ANC.

ANC will work with its tenants, particularly those who demonstrate a commitment to being housed, in order to establish and maintain successful tenancies.

ANC aims to maximise the opportunity for its tenants to develop sustainable, fulfilling lives.

Encouragement of tenant participation, fostering of community development, adequate asset maintenance as well as an open housing management practice are essential aspects of community housing that assist tenants in achieving these goals. These activities are undertaken by ANC using its available resources.

ANC tenants are required to demonstrate a commitment to their tenancy by complying with the community expectations, which are generally encapsulated within their Residential Tenancy Agreement.

ANC will end tenancies where a tenant is unable to demonstrate a commitment to continued housing. This will be in accordance with prescribed legislation.

ANC will develop procedures to identify areas in which it can improve the quality of service to its tenants.

ANC will consistently monitor community needs as identified by a number of sources.

Responsibilities

The Board will develop and approve policies in line with the organisational objectives.

The CEO will contribute to policy development, resolve any conflict between the systems developed and Board approved policy.

The CEO is responsible for establishing, implementing and maintaining the Tenancy Management Policy and procedures required to meet that system.

All staff are responsible for familiarising themselves with the policy requirements, observing and implementing those requirements and procedures of the Tenancy Management Policy.

Management Review

This policy will be reviewed in a manner consistent with the ANC Policy Review and Development Policy (POL GEN 008). Recommendations will be passed on to the CEO to approve, before any changes can be made to the document.

The CEO may, if necessary, authorise immediate changes to the policy and procedures which will be reviewed and confirmed by the Board at its next regular meeting.

The Board will continuously review this procedure.

Applicant Eligibility

Scope

To define the way access to social housing will be controlled.

Reference to National Community Housing Standards

1.1 Allocation of Housing

Procedure

General

Persons eligible for public housing under the criteria set by [Housing NSW](#), are eligible for community housing with ANC. Applicants need to provide documentation showing that they are listed on the NSW Housing Register. The documentation should include a statement that the applicant has been admitted to the Register and indicate the application reference number.

Applicants will complete a standard application form and support documents⁴. Applicants will need to demonstrate:

- evidence of the current eligibility for housing
- household income is within the eligibility limits
- they do not own any property or assets which could resolve their housing need
- they will be able to sustain a tenancy with or without supports
- if applicable, and arrangement is in place for any debts to other social housing providers
- they are, in general, at least 18 years of age

Applicants, who provide partial information, or are deemed ineligible, will be asked to provide additional information within 21 days to evidence their eligibility⁵.

Eligible applications will be scored to determine their level of housing stress (0 Applicant Ranking).

Applicants who score equal to or greater than 20 are eligible for out of turn housing.

All eligible applicants will be placed on the waiting list.

Applicants will be sent a letter⁶ within 30 days of their application which will:

- Identify whether they are eligible or ineligible
- Request applicant to apply for housing with Housing NSW and provide a “T” number
- Request any additional information
- Request the applicant to advise any change in their circumstances
- Advise that six monthly update letters will be sent out
- Provide applicant number

Ineligible applicants will be sent a letter⁷ within 30 days of the receipt of their application which will:

- Advise them that their application has been found ineligible for housing
- Advise them of the basis for this decision
- Advise them of their right to appeal the decision
- Provide details of the internal appeals process
- Advise them that they can reapply for the housing at any time should their circumstances change
- Advise them that any new application will be assessed against policies in place at that time
- Advise them that they cannot claim a priority date from any previous application.

⁴ Application form

⁵ Additional information

⁶ Eligible

⁷ Ineligible

Procedure

Income

The NSW Community Housing Rent Policy, [Appendix 1](#), details how ANC can determine a household's assessable and non-assessable income, including income and asset tables.

Assessable Income

In order to determine whether a household meets the income eligibility for social housing, ANC will:

- Assess income eligibility according to the applicant's household size, type and gross assessable household income.
- Apply a number of income eligibility limits and assessment rules. For more information, go to [Income eligibility limits](#) and Income [eligibility assessment rules](#).

Clients applying for social housing must provide proof of income. For more information go to [Proof of income and assets](#). There are no minimum income criteria. Permanent residents with no income are able to apply. When a tenant or adult household member's assessable income is calculated to be below the standard rate of the relevant Centrelink benefit, then this tenant or household member's income will be deemed to be at the relevant Centrelink benefit rate.

Assessable incomes are incomes that social housing providers include when calculating income eligibility for social housing. Incomes that ANC usually consider as assessable include payments received for general living expenses, for example:

- Most pensions, benefits and allowances paid by Centrelink and the Department of Veterans' Affairs. (These income types are also known as statutory income).
- Wages, salaries and some work allowances such as overtime, bonuses, shift allowances and penalty rates. (These income types are also known as non-statutory income).
- Other income such as regular superannuation, compensation, interest from savings and maintenance. (These income types are also known as non-statutory income).

Non- assessable Income

Non-assessable incomes are incomes that social housing providers do not include when calculating income eligibility for social housing. Incomes that providers usually consider as non-assessable include payments received for a specific purpose, such as allowances received to assist with a particular life circumstance or disability.

Applicant Ranking

Scope

To define the way in which social housing applicant ranking will be controlled

Reference to National Community Housing Standards

1.1 Allocation of Housing

Procedure

Eligible applications will be scored to determine their level of housing stress. Applicants who score equal to or greater than 20 shall be regarded as experiencing housing stress.

Applicants are scored in the following way:

- | | | |
|---|--------------------------------|-----------------------|
| 1 | score greater than 30 points = | high housing stress, |
| 2 | score between 25-29 points = | medium housing stress |
| 3 | score below 20-25 points= | low housing stress |

The following points are allocated to determine these stress factors:

Stress Factor	Score per Household
Paying more than 50% of gross income for housing	5
Newly arrived refugee	5
Single Parent (with or without full-time care)	5
Homeless – includes living in crisis accommodation, having no home and where current accommodation cannot be ensured for more than four weeks	15
Substandard or overcrowded accommodation (more than 2 persons over 16 years per bedroom)	5
Domestic or family violence	5
Applicant or household member with a disability that affects accommodation options	5
Indigenous person	5
CALD person	5
Applicant under 21	5
Applicant over 55	10
Indigenous person over 45	10
Loading for waiting on list	5
	per every 2 full years on list

Waiting List Management

Scope

To define the way in which the social housing applicant waiting list will be managed.

Reference to National Housing Standards

1.1 Allocation of Housing

Policy

Information about all applications received will be maintained within a secure Tenancy Management System and dealt with in accordance with the *Privacy Act 1988(Cth)*: The system may allow for:

- The collation and analysis of information and reports
- Reports detailing the applicant waiting list by bedroom size, by application date and by the ethnicity of clients.

All applications and supporting documentation will be held in a secure filing system.

The circumstances of applicants will be reviewed regularly to ensure the currency of waiting list records and appropriate allocations of housing.

When current wait list applicants are not compatible with available property type, Anglicare North Coast will activate the Service Level Agreement with North Coast Community Housing.

Procedure

On receipt of the application, it will be date stamped and then entered into a password protected data base. The application will be assessed by the Manager Community Services or Housing Officer who will determine the applicant's eligibility for housing.

The Housing officer will be responsible for the application to be acknowledged, scored and securely filed. The Manager Community Services shall be responsible for the supervision of the system, the scoring of the application, management of waiting lists and supervision of associated staff.

A letter will be sent to the applicant to acknowledge eligibility or ineligibility of the application as per Applicant Eligibility section of this document.

Each year all applicants on the waiting list will be sent, by post, a request for the confirmation of their continued desire to be housed by ANC and the details of any change in circumstances.

Applicants who have not responded to this letter within 30 days will be removed for the waiting list.

Withdrawal of Applications

Scope

To define the way withdrawal applications will be managed on the tenancy management system for community housing

Reference to national Housing Standards

1.1 Allocation of Housing

Procedure

All applicants must (at the time of each review) be eligible for housing assistance.

An application will be withdrawn from consideration if any of the following:

1. An applicant's eligibility cannot be established
2. An applicant deliberately provides false information on an application
3. An applicant has accepted an offer of public housing accommodation
4. An applicant has not responded to written contact and the written contact contains a provision for the withdrawal of the application if no response is received
5. An applicant does not meet the selection criteria.

Reinstatement of Withdrawn Applications

Scope

To define the way in which a withdrawn community housing applicant can be reinstated

Reference to National Housing Standard

- 1.1 Allocation of Housing
- 4.3 Providing Housing Information, Advice and Referral

Procedure

A previously withdrawn application can be re-instated to the waiting list, without penalty to the applicant if:

- The applicant re-establishes eligibility for housing
- The applicant meets the current Application Selection Criteria
- The applicant is not at fault for the original withdrawal of the application

There is no limit to amount of time that can elapse between the times of that the application has been withdrawn until a request for reinstatement.

Application forms shall indicate that the applicant must advise of any change of address or contact details within 28 days of the change. Failure to do so will make the application ineligible for reinstatement.

Restricted Preferences of Applicants

Scope

To define the way in which applicant housing preferences will be managed.

Reference to National Housing Standards

1.1 Allocation of Housing

Procedure

An applicant is unable to remain indefinitely on the waiting list due to having unreasonable or restrictive housing preferences.

In determining unreasonableness, ANC will assess a number of factors, which will include, but not be limited to the following issues.

- Waiting for accommodation in a specific suburb or town
- Refusal to accept accommodation of a certain bedroom size where such an offer would not require more than 2 persons to share a room.

ANC will discuss the circumstances with the applicant and will advise in writing that the applicant must widen their housing preferences. Failure by the applicant to do so will result in the withdrawal of their housing application.

Allocation of Housing – Long Term Housing

Scope

To define the way in which community housing will be allocated to applicants for long-term accommodation.

Reference to National Housing Standards

1.1 Allocation of Housing

Policy

ANC will affect the greatest good to the greatest number of potential tenants in determining its allocation standards.

ANC recognises the need to allocate housing that is appropriate to the needs and requirements of its applicants.

Applicant's household structures and circumstances vary greatly. This will determine the appropriateness of the accommodation provided.

ANC will manage all its properties to meet the variety of needs of the community and those on the waiting list.

Prior to be offered accommodation all applicants must provide evidence of the current eligibility for housing.

An offer of appropriate housing will be made to the next suitable applicant at allocation stage.

Any employee involved in the allocation process must register any personal or other relationship with an application and must withdraw from any involvement in the allocation of housing to that applicant.

All applicants will be advised in writing of their right to refuse the first housing offer. ANC will not penalise applicants if the offer is refused. The applicant will be interviewed and their needs clarified. If the second offer (taking into account their specific needs) is rejected, an applicant's application will be reviewed and possibly removed from the waiting list.

After the third refusal of a reasonable housing offer, the applicant will be removed from the waiting list.

Procedure

When an allocation is made, the next two eligible applicants may be contacted. They will be asked to confirm their current interest in and eligibility for housing assistance with ANC.

If still eligible, they will be advised of the viewing time for the vacant property. A Community Housing staff member will be present whilst interested applicants view the property. Community Housing staff will continue to contact the applicants from the waiting list until two interested persons are identified.

ANC may consider it prudent to conduct an open house where each applicant will confirm their current eligibility for assistance. A determination will then be made to assess the suitability of the property to meet the needs of the applicants. Should both applicants be suitable then the allocation will be made according to the date of the application.

Where the applicant is on the waiting list and is in alternate accommodation and is unable to accept an offer of housing, their application will remain listed with ANC from the date of their original application.

Property Matching and Occupancy Standard

ANC Community Housing will seek to match applicants with properties consistent with family size, individual circumstances, and requested location. The ANC occupancy standard is defined as an allocation which will not result in an under-occupied or an over-occupied property. Tenants are considered to be under-occupying a property when there are more bedrooms than the household needs. An over-occupied property is a property where there are less bedrooms than the household needs.

Any allocation outside the occupancy standard must be referred to the Manager for Community Services.

If circumstances change, and the property is considered under-occupied or over-occupied, ANC Community Housing will work with the tenant and support them toward a mutually agreed pathway of appropriate housing.

Allocation of Housing – Transitional Accommodation

Scope

To define the way in which community housing will be allocated to applicants for short-term accommodation.

Reference to National Housing Standards

1.2 Allocation of Housing

Policy

ANC will affect the greatest good to the greatest number of potential tenants in determining its allocation policies.

ANC recognises the need to allocate housing that is appropriate to the needs and requirements of its applicants Short-term Leases are offered to clients of Specialist Homelessness Service (SHS) providers in partnership with Anglicare Community Housing. The terms for this partnership will be described in a Service Level Agreement that must remain current in order to be effective. SHS providers have the right of tenancy for 2 designated CAP properties as per the terms and conditions of the Service Level Agreement.

Procedure

SHS providers will refer eligible applicants to Anglicare Community Housing as per their process of selection and the terms of eligibility provided by Housing NSW for Transitional and Crisis Accommodation properties.

Applicants are requested to present an application form and proof of current income, not more than 2 weeks old.

Community Housing staff will calculate rental amounts using the relevant Housing NSW rental policy and notify the applicant of the tenancy and the sign-on (lease) date.

As the properties are for short-term tenancies, the lease will always be a fixed term for 3 months.

The tenant will be notified that the lease will be ending 14 days prior to the fixed term ending. The 'friendly reminder'⁸ will notify the tenant:

- date of termination,
- keys must be returned on the termination date,
- property must be cleaned before moving out,
- ANC must be advised of any forwarding address

⁸ Friendly reminder

Low Demand Properties

Scope

To define the way in which ANC will manage housing that is difficult to occupy.

Reference to National Housing Standards

- 1.1 Allocation of Housing
- 3.4 Access to Services of the Organisation

Policy

ANC may manage properties which due to their location or facilities may be in low demand by applicants and therefore prove difficult to relet.

These properties may be offered to either applicants who are not at allocation stage or to a support agency.

Support agencies who wish to avail themselves to the low demand accommodation are required to enter into an agreement with Anglicare North Coast.

Agreements and Sign-Up of Tenants

Scope

To define the manner in which new tenancies will be established

Reference to National Housing Standards

- 1.1 Allocation of Housing
- 1.2 Establishing and Maintaining Tenancies
- 4.3 Providing Housing Information, Advice and Referral

Policy

ANC will ensure accepted offers of housing are acted upon promptly and according to law. ANC will not include undue or unnecessary conditions in Residential Tenancy Agreements. Tenants will have the right to advocates, interpreters and advice prior to signing a Residential Tenancy Agreement.

Procedure

Residential Tenancy Agreements

Each tenancy entered into by ANC will be subject to a written Residential Tenancy Agreement with the tenant, completed and provided in accordance with the *Residential Tenancy Act 2010*. A fully completed Condition Report will be provided to the tenant at this time.

The agreement will be fully explained to all tenants and, where required, an interpreter will attend to assist in the comprehension of the agreement by the tenant.

Fixed Term agreements – long-term

Tenants of capital properties will normally be provided with a fixed term Residential Tenancy Agreement for six months, subject to review, after which the agreement will normally convert to an ongoing tenancy. This will be deemed to be a ‘probationary period’ for tenants leasing their first property with ANC and subject to the Termination of a Tenancy and Performance Orders section of this document. Unless the tenancy is dealt with under the Termination of a Tenancy and Performance Orders section of this document, leases do not need to be renewed, but tenants who prefer to renew can have them renewed for to 12 months, subject to the approval by the Manager Community Services.

Fixed Term Agreements – Short-term

Tenants of the SHS Transitional properties will be provided with a fixed-term Residential Tenancy Agreement for 3 months. This is subject to a condition of continued support from the SHS service. Extension of this lease will occur in extenuating circumstances, however will be assessed on a case by case basis. Extensions will only ever be for a period of 4 weeks.

Additional Terms

Any additional Terms included in a Residential Agreement by the ANC will not contravene the rights of the tenant afforded by the *Residential Tenancy Act 2010* or any other relevant legislation.

The following may be added to a Residential Tenancy Agreement entered into by ANC:

- Rent review – the tenant will provide verification of his/her household income to ANC every six months or as otherwise required by ANC
- Additional occupants – the tenant will notify ANC if any additional person occupies the property on a permanent basis
- Income variation – the tenant shall notify ANC of income variations within 14 days of the variation occurring
- Personal occupancy – it a requirement of this lease that the tenant shall occupy the dwelling
- Non-rent charges such as Lawn Mowing and Water Rates.
- Should a tenant be approved to have pets at their property, an additional clause will be inserted or a letter of approval for ANC inserted.

Joint Tenancies and Share Households

Adult members of a share housing arrangement will be issued with a separate Residential Tenancy Agreements.

Adult members of a joint household will sign one Residential Tenancy Agreement in the name of all parties.

Property Inspections

ANC will conduct all inspections in accordance with the requirements of the Residential Tenancies Act 2010, including:

- giving seven days written notice prior to a visit;
- Or two days to undertake necessary maintenance.
- home visits may be made at any time, with the consent of the tenant
- an inspection will occur in first 3 months of a tenancy, and every 6 months thereafter; a maximum of 4 inspections may be carried out each year if there are ongoing concerns regarding the property condition or to develop and maintain asset management plans.

Property Assessment Surveys (PAS) will be conducted on every property every two years in accordance with a schedule determined by NSW DCJ. ANC will provide tenants the necessary seven days written notice.

If the tenant refuses access to the premises for ANC staff or contractors after the required notice has been given, ANC may apply to the NSW Civil and Administrative Tribunal for an access order.

In some situations, including emergencies, urgent repairs, required inspections or where there are concerns for the health and safety of any household member, ANC may access a property without the tenant's consent and without an access order. Section 55 and 57 of the Residential Tenancies Act 2010 outlines where this can occur.

All properties will be inspected and compared with condition reports at the conclusion of the lease.

Where, on inspection, a property is found to be damaged or neglected, the MCS will follow the guidelines under Termination of a Tenancy and Performance Orders.

The Original Condition Report, as completed by ANC shall be attached to the tenant file at the commencement of the tenancy. The copy that is checked, signed and returned within 7 days by the tenant is also attached to the tenant file.

Copies of any regular property inspections conducted at each tenancy will be placed on the relevant property file. It is not normal practice to provide tenants with a copy of this report but such reports will be provided upon request by the tenant.

Relocating tenants for management purposes

ANC Community Housing is responsible for managing properties in a fair, transparent and efficient manner. ANC Community Housing may ask tenants to move for reasons relating to the property or for reasons relating to individual tenancies.

Some examples include:

- household size is no longer compatible with occupancy standards
- the household no longer needs the special features or modifications available at the property
- the property is not tenantable and needs to be demolished, redeveloped or upgraded, or needs significant maintenance
- there are health and safety issues
- there have been ongoing neighbourhood disputes or harassment

Rental Bonds

Scope

To define the way bonds will be calculated and the manner in which they may be paid.

Reference to National Housing Standards

- 1.1 Allocation of Housing; and
- 1.2 Establishing and Maintaining Tenancies

Procedure

All tenancies are subject to the payment of a bond by the tenant.

The incapacity of an applicant to pay the full bond at the time a Residential Tenancy Agreement is signed will not prevent an allocation from being made.

At the time of offer, the potential tenant will be advised that a rental bond will be required and the methods of payment.

The bond will be assessed as the equivalent of 4 weeks rent payable by the tenant.

The bond is to be paid at the time a Residential Tenancy Agreement is signed. However, if the tenant is unable to pay the bond at the time a Residential Tenancy Agreement is signed, ANC will require that the tenant enter into an agreement to pay off the bond amount required within the first 3 months of the tenancy, or over a longer period with the approval of the CEO. The agreement should not cause undue hardship on the tenant. Any such agreements will be placed on the tenant file and the tenant given a copy.

The first repayment is due and payable at the time the Residential Tenancy Agreement is signed.

All bonds will be lodged with the NSW Rental Bond Board in accordance with the relevant legislation.

Rental and Other Payments

Scope

To define ways in which rental and other payments will be managed.

Reference to National Housing Standard

- 1.3 Establishing and Maintaining Tenancies;
- 3.1 Tenant Rights
- 6.1 Financial Systems; and
- 6.2 Administration Systems

Policy

Tenants will be provided with a range of rental payment methods options. Staff should actively encourage, where eligible, the Centrepay method. Tenants will be informed that rent should be paid at least two weeks in advance at all times. All tenants must pay the equivalent of two weeks rent in advance prior to entering an agreement with ANC. Any lesser amount accepted must be approved by the Manager for Community Services.

Tenants may have their rent directly debited into a designated ANC bank account. Account details will be provided by staff on request.

Payment made by such a method will not be subject to the issuing of a receipt by ANC. However tenants can be provided with a statement on request, showing the date of payments, amount paid, the relevant period covered by the payment and details of any arrears.

ANC will strive to identify additional methods by which tenants may pay rent.

Rent statements/receipts can be requested at any time from the ANC Community Housing Office.

Procedure

At the beginning of a tenancy, the options for rent payments will be explained to the tenant. The tenant will be advised that rent is to be paid either weekly or fortnightly. Tenants will be informed that rent should be paid at least two weeks in advance at all times.

Irrespective of which option is chosen for rent payments, all tenants will be asked to pay the equivalent of two weeks rent in advance on entering an agreement with ANC. In exceptional circumstances, the CEO may approve the acceptance of one week rent in advance. In such cases, an arrangement will need to be entered into for the tenant to pay additional rent until their rental account is 2 weeks in advance.

Tenants in receipt of Centrelink benefits will be offered the opportunity to enter the Centrepay rent deduction scheme. Tenants who choose this scheme will be required to complete the prescribed application form and lodge it or have it lodged with Centrelink.

Tenants will be able to make rental payments by direct deposit system or may pay by cash at the Grafton or Maclean ANC Office. Payment of rent on a regular basis by cash is not encouraged. Such payments will be subject to the issuing of a receipt showing such details of the payments as required by the Residential Tenancy Act 2010 (Payment amount, date, Payee name, property address, rent period.)

Where tenants are also making non-rent payments e.g. water usage, a separate deposit must be lodged to that of the rent payment. In circumstances where the tenant has consolidated rent and non-rent payments in the one deposit, the total amount must be appropriated to the tenants rental account, unless ANC is in receipt of a clearly signed agreement by the tenant to split the consolidated payment to rent and non-rent accounts.

Tenant statements will be issued and mailed to each tenant each 6 months, corresponding with the 6 monthly rent reviews.

Tenants have the right to request a receipt and/or rent statement at any point. This will be issued to them free of charge, in a manner suitable for the tenant.

Tenants will be advised of additional methods of rent payment, when they are established, through regular tenant newsletters.

Rental Calculations and Rent Reviews

Scope

To define the way in which rent will be calculated and rent reviews conducted.

Reference to National Housing Standard

- 1.2 Establishing and Maintaining Tenancies
- 6.1 Financial System

Policy

ANC rent setting policy is a key element in achieving its goal of providing affordable housing for tenants. The [NSW Community Housing Rent Policy](#) available from NSW Department of Communities and Justice will be followed in all circumstances.

Procedure

ANC will undertake a rental income and rent review of all tenants every 6 months in line with the Housing NSW Rent Policy and the Residential Tenancy Agreement. Tenants will be notified that a rent increase will occur after 60 days has expired.

Tenants will be sent a letter⁹ inviting them to re- apply for subsidised rent. Tenants will be requested to provide:

- (a) Updated personal contact details and any support needs to remain within the property;
- (b) Verification of household income within 21days;
- (c) and given an opportunity to provide feedback to ANC.

Tenants who fail to supply verification of household income to ANC within 21 days (or as soon as is practicable) will be notified that rent will no longer be subsidised and market rent will be effective to their tenancy after the 60 day period has expired.

Tenants will be further notified in writing of any changes in their assessed rent. Such changes will take effect as soon as practicable after the date noted in the original notification for subsidised rent. In exceptional circumstances a tenant can make a written request to the CEO for their rent to be reduced or backdated.

Rent calculation for varied income

As subsidised rent is calculated on household income it is essential that tenants and household members notify this office within 7 days of any changes to the household income.

This income change will initiate a rent review (see procedure above), where 21 days' notice will be given to the tenant to provide income details for the household members, if income statements are not provided within this time frame rent will revert to market rent prices after 60 days.

Income amounts received from sources other than Centrelink and Department of Veteran Affairs will be averaged over a four week period but may be extended if deemed necessary. This evidence of income must be provided to the ANC Manager Community Services in order to calculate an average income calculation.

Further notes to consider

- Tenants who are self-employed will need to supply proof of their income which independently verifies the level of income stated.
- Where a household member who is older than 18 years is not in receipt of any income, ANC may, if deemed appropriate, for the purposes of the rental assessment, assess the household member as if in receipt of the appropriate standard Centrelink rate of benefit.

⁹ Rent review letter

- Requests for variation in individual rental assessments are required in writing. The CEO can approve such variation.
- Where the proof of income documentation states a level of income that is considered by ANC to be an error or different to the standard payment, ANC will seek further substantive details for the tenant prior to completing the assessment.
- Where a tenant's income varies, and it is not considered feasible to consistently change the tenant's rent assessment, it is possible to average the tenant's income over a 6 month period for the purposes of rent assessment. Such assessment method should be approved by the CEO or the Manager for Community Services.
- ANC uses the rent calculation formula, outlined in the rebated rent calculation sheet that may be varied by legislation and policy from time to time, as per [NSW Community Housing Rent Policy](#). Tenants may request a copy of the formula at any time.
- All documentation concerning rental assessment and rent reviews will be retained on the tenant's file.

Rental and Other Arrears

Scope

To define how tenants will be supported to address rental and other arrears.

Reference to National Housing Standard

- 1.2 Establishing and Maintaining Tenancies
- 4.1 Tenants Access to Support
- 6.1 Financial Systems; and
- 1.4 Ending Tenancies

Policy

ANC will manage rental arrears in a timely, fair and consistent manner. Rent revenue is a primary source of income for ANC Community Housing that assists it to achieve its goals, such as provision of timely responsive maintenance, and the ability to upgrade properties.

Any information regarding individual / household tenant rent payments, collection or arrears will not be divulged to any other party unless with the prior written consent of the tenant or otherwise authorised by legislation.

ANC staff will support tenants to address their rental arrears. Where factors impact on the tenant's capacity to address their arrears, housing staff will assist tenants to access the appropriate support needed (e.g. through appropriate referrals).

ANC will make available the procedures regarding the collection of rent and the rent arrears collection policy to the tenants.

Further communication between ANC and the tenant will be sent by ordinary post except where the tenant has requested communication via personal contact or by telephone. Standard letters will be sent to communicate with the tenant regarding arrears. Such letters will be respectful, invite the tenant to negotiate their situation and indicate ANC's desire to find ways to maintain the tenancy.

Procedure

Rental arrears occurs when:

- A payment is not received by the due date
- A payment has been underpaid; or
- A tenant contribution increases which has been backdated

ANC Community Housing will monitor rent regularly and respond promptly to rent arrears, to prevent a tenant from incurring debt.

Rental Arrears of Less Than 7 days

The Manager Community Services (or delegate) will telephone the tenant advising them of the situation and seek an agreement to remedy the situation.

Where such arrears are due to the late commencement of Centrepay deductions or failure to change such a deduction with a rent change, the Manager Community Services (or delegate) may write to the tenant advising them of the situation and provide suggestions about how the situation may be remedied. A partially completed Centrepay form may be included with this letter together with a pre-paid return envelope to Centrelink.

Rent Arrears over 7 days, Less Than 14 Days

The Manager Community Services (or delegate) may confirm this telephone call with an official 'reminder' letter to that tenant/s. Such a letter will state:

- How many days behind the tenant is as at the last rent payment date;
- How much the tenant/s owe to bring their rental account up-to-date;
- The date by which the tenant/s should pay the outstanding rent to bring their account up-to-date (usually within 14 days of the letter being sent);
- Details of local financial counselling services; and

- Offer for the tenant/s to contact the ANC office to discuss their rent situation and /or to come to the office to discuss a satisfactory rent arrangement with ANC if appropriate.

Rent Arrears over 14 days

Where a tenant has fallen behind more than 14 days in rent, an official Notice of Termination as specified by the *Residential Tenancies Act 2010* may be sent. A covering letter will be attached which clearly explains the Notice of Termination to the tenant. The letter will also inform the tenants that in the event that the rent remains unpaid for a further 14 days after the expiration of the Notice of Termination, ANC will apply to the NCAT for an order that the rent to be paid and, where appropriate, that the tenancy be terminated .

The letter will also contain a reference to the 'Renting Guide' which details the tenant's rights and obligations and references to the nearest tenancy advice service.

Tenants Support and Welfare

Scope

To define the ways in which ANC will facilitate tenant access to support to ensure a sustainable tenancy.

Reference to National Housing Standard

- 4.1 Tenant's Access to Support
- 1.2 Establishing and Maintaining Tenancies;
- 1.3 Changing needs of Tenants;
- 4.2 Building community Capacity;
- 4.3 Providing Housing Information, Advice and Referral

Policy

ANC acknowledges that many tenants may experience difficulties from time-to-time which may affect their ability to sustain their tenancy. ANC will attempt at all times to ensure tenants are kept informed of their rights under the *Residential Tenancies Act 2010*.

Furthermore, ANC will provide information to the tenant/s about support services available to them when action to collect rental arrears is undertaken.

The type of support to be offered may include:

- Information on tenancy advice and advocacy services;
- Information concerning financial counselling services; and / or
- Information about other relevant support services (e.g. family support, refuges, counselling, and translator services).

Tenants will be invited to have an advocate present for any meetings to discuss their tenancy and, where appropriate, will be assisted in doing so by ANC.

Procedure

ANC will:

- Make available the procedures regarding the collection of rent and the rent arrears collection policy to any tenant;
- Provide information to the tenant/s about support services available to them when action to collect rental arrears is undertaken;
- Display information about community services on a noticeboard in its offices;
- Provide information about community services;
- Build relations with community service agencies;
- Involve community services in community development activities;
- Develop formal support agreements with agencies around particular properties.

The type of support to be offered to tenants may include:

- Information on tenancy advice and advocacy services;
- Information concerning financial counselling services
- Information about other relevant support services (e.g. family support; refuges; and / or
- Counselling; translator services)

Tenants will be invited to have an advocate present for any meetings to discuss rent, rent arrears and / or rent agreements and contracts, and where appropriate, will be assisted in doing so by ANC. ANC will endeavour to participate in any relevant local government, Housing NSW or other relevant community service planning events and consultations.

Guest speakers may be invited to Community Housing team meetings to provide information and training on a range of topics, such as:

- mental health
- homelessness
- drug and alcohol abuse
- domestic violence
- education and training, and
- Community services.

Information Management

Scope

To define the way in which client information will be managed.

Reference to National Housing Standard

- 3.1 Tenant Rights
- 3.5 Confidentiality and Privacy
- 6.2 Administrative Systems; and
- 6.3 Office Environment.

Policy

All essential activities will generate records to demonstrate the achievement of specified requirements and the effective operation of the Tenancy Management System. Records will be suitably stored and maintained to ensure their safekeeping and subsequent retrieval. Active records will be maintained on electronic media or filed in a secure filing cabinet. Archived records will be boxed and stored in a secure area.

The retention period will accord with legislative requirements and minimum industry standards. At the end of this period records will be appropriately destroyed. All correspondence shall be in plain English. Where it is deemed appropriate, information regarding translator services will be attached to tenant correspondence.

Procedure

Confidentiality & Privacy

Confidentiality is an important principle in many aspects of ANC work, particularly in the client/worker relationship.

Staff will not discuss any personal information about other staff, tenants, and members of the Board outside ANC, or inappropriately with anyone inside ANC without consent of the person concerned.

All ANC stakeholders, including Board of Directors, staff, contractors and volunteers will not have automatic access to personal information about applicants and tenants. Information passed on about individual tenants or applicants will be reported by use of a non-identifiable indicator.

Non-Community Housing staff cannot view applicant or tenant files, except with authorisation from the CEO and then only in connection with the resolution of a complaint or dispute, a service evaluation, a legal matter involving a tenant, or other extenuating circumstances.

Nothing learnt about a client, including the fact of their contact or tenancy, will be passed on to anyone outside the staff team without that person's express consent or legal authorisation.

It will be explained to clients that confidentiality will be observed within the staff team. Debriefing with other workers about individual clients will occur to ensure that all workers are able to deal with situations appropriately and efficiently.

Anyone requesting information about an applicant or tenant, including family members, other organisations, government department and the like, will be informed of the confidentiality policy. Referrals or discussion with other agencies about a tenant's situation and needs will not be made without their express consent, and preferably in their presence.

In extreme circumstances, a breach of confidentiality may be deemed to be in the best interest of the client or the service. If this assessment is made by the Manager Community Services, approval must be sought from the CEO prior to disclosure.

Information about tenants and applicants, including lists with names and addresses, personal files and notes, names on files or whiteboards will not be visible or easily accessible in public areas in the office. Clients will be interviewed in spaces which provide privacy.

Exclusions to confidentiality Policy

Where ANC is legally required to provide information on any applicant or tenant, and may incur some liability for its non-provision, such information may be provided at the discretion of the CEO or Manager Community Services. All such requests for information will need to be received in writing.

Access to Information

Tenants will have access to any file or written record about them, and may request access to this information with reasonable notice. When providing an applicant or tenant with access to their records, care will be taken to protect the privacy and confidentiality of others.

Tenants who receive any copied file will have a stamped "COPY" to protect ANC if the files are discarded in a tardy manner.

Information for Applicants

Applicants for housing will be provided with information about the housing application, waiting list management and housing allocation processes. They will also be provided with information about other possible housing options and housing benefits that may assist them.

General Information

ANC will have the following information available for all stakeholders:

- Information about the organisation's role and services, including the applicant Selection Criteria;
- Information about other local housing options and available services;
- Information about other community housing organisations;
- A copy of relevant ANC Corporate Policies and our Tenancy Management Manual;
- Core tenant related policies in a format suitable for persons with low literacy levels; and
- Information regarding tenant rights.

ANC will maintain on tenant files the following information:

- Completed application for Housing;
- Signed Residential Tenancies Agreement;
- Signed copy of initial condition report;
- Copies of all property inspection reports;
- Copies of all correspondence in relation to the tenancy;
- Copies of all complaints made by or about the tenant and the results of the investigation of these complaints;
- Copies of all verification of income details;
- Copies of any legal documentation in relation to the tenant or tenancy;
- Written requests and responses for any change or alternation to the premises;
- Copy of any support agencies involved;
- Copy of risk assessment on tenant and any incident reports;
- Copy of risk assessment in relation to the property; and
- Correspondence, notes on conversation with or about the tenant

Information for Tenants

Tenants will be provided with the following information prior to the signing of a written residential tenancies agreement:

- An explanation of the terms of the Residential Tenancy Agreement;
- Information on NSW Department of Fair Trading [Renting](#)
- Contact information for any local tenancy advice or tenant advocacy service that may be accessible for the tenant/s.

ANC will ensure that tenants are regularly provided with any information that may affect their rights as tenants or their access to mechanisms to enforce those rights.

Neighbour Disputes, Nuisance and Annoyance, Pets and Cleanliness

Scope

To define the ways in which ANC will seek to resolve neighbour disputes and complaints of nuisance and annoyance against tenants

Reference to National Housing Standards

1.4 Ending Tenancies

Policy

Person living in the community have the right to the peaceful enjoyment of their property. ANC is committed to successful tenancies and sustainable communities and will utilise a range of early interventions and prevention strategies to assist tenants to maintain their tenancy successfully. ANC will, where appropriate, assist tenants to positively resolve issues impacting on their tenancy success.

Tenants will be afforded the opportunity to respond to allegations made against them. If alleged behaviour does not constitute a breach of the Residential Tenancy Agreement, ANC will advise the complainant of what other avenues are open to resolve the issue.

All complaints relating to disruption by ANC tenants will be recorded and responded to. Details of the complaint, action and any outcome will be placed on the tenant file. Tenants will be referred to [ANC Complaints and Appeals](#).

Procedure

Complaints Regarding Non-Anglicare North Coast Neighbours

Where a complaint is received from a tenant about problems being experienced with a neighbour, ANC will assist the tenant by providing information to the tenant on methods of dispute resolution, such as:

- Communication with their neighbour
- Intervention by local authorities including council and bodies corporate,
- Intervention by police; and
- Any available mediation processes, including community justice centres.

ANC will expect the tenant to initiate action to resolve any dispute and ANC will not act as an advocate or third party in such disputes.

Complaints about Anglicare North Coast Tenants

Serious disputes involve behaviours which are persistent or intentional, represent a nuisance and cause interference with the peace, comfort or privacy of others. Where the alleged perpetrator is a tenant, the tenant is in breach of their agreement with ANC.

Where a complaint is received of problems being experienced with an ANC tenant, ANC will swiftly initiate action to substantiate any claims. Complainants will be asked to lodge their complaint in writing.

Where the complainant declines to lodge a complaint in writing, he or she will be asked to provide some other evidence of the alleged events – e.g., Police Incident Number. Without such evidence, they may be no further investigation of the matter. In such a case, a file note of the conversation will be made and placed on the tenant file.

In investigating any written or verifiable complaint, there will at no time be any identification of the complainant to the tenant unless with express written permission of the complainant.

If the complainant is at risk, he or she should be advised to make a formal complaint to the police. Written records will be kept of the investigation, outcome and any agreements made. These records will be placed on the tenant file.

Actions that ANC may take as a result of a substantiated complaint of nuisance and annoyance include:

- Remind the tenant of their responsibility under their Residential Tenancy Agreement;
- Request the tenant to cease the disruptive behaviour;
- Identify strategies to resolve the complaint directly between the tenant and complainant;
- Identify and recommend any intervention strategies such as mediation;
- Written letter to tenant informing them of the breach in their Residential Tenancy Agreement, requesting rectification and identifying consequences if the behaviour was to continue;
- Refer the tenant to appropriate support agencies;
- Re-housing of either complainant or tenant; and
- Appropriate legal action to remedy the dispute under the provisions of the Residential Tenancies Agreement and relevant legislation.

If there are substantiated complaints of frequent or ongoing disruption, prior to any legal action being taken, the tenant will be asked to attend an interview with the Manager Community Services or a more senior staff member (or delegate). They will be advised that failure to attend the interview will result in action being taken at the NCAT to remedy the breach. At the interview, the tenant will be advised of the impact that their ongoing disruption is having on the neighbours and the legal consequences if the disruption continues.

ANC will only consider the possibility of re-housing the tenants, where it is considered that the current housing environment has contributed significantly to the disruption. In assessing the appropriateness of re-housing, the following factors will be considered:

- Nature and extent of disruption;
- Extent to which the tenant's behaviour has contributed to the disruption;
- Extent to which environmental factors have contributed to the disruption;
- Whether the tenant has previously been transferred or evicted for disruption; and
- Nature and extent of the tenant supports that will be in place for the next tenancy.

Serious Disruption

Disruptions are classed as serious if they involve any of the following:

- Serious harassment;
- Threats to health or safety of a person;
- Physical assaults;
- Violent acts;
- Frightening behaviour;
- Illegal activity that has been substantiated by the relevant authorities and is causing a disruption;
- Arson;
- ANC in potentially serious legal vulnerability; or
- Repeated police visits.

All serious disruptions must be referred to the Manager Community Services. If there is a direct threat to a person's health or safety the complainant is to be advised to report the matter to the police. These complaints are to be investigated and a report given to the CEO.

The investigation is to be sensitive to the safety of both ANC staff and the complainant. ANC is to arrange an interview with the tenant and the Manager Community Services within the following 2 working days.

The tenant will be afforded the opportunity to respond to the complaint. They will be advised of their obligations under their Residential Tenancy Agreement.

ANC will seek to preserve a tenancy where possible, but reserves the right to utilize rights afforded under legislation or common law to cease a breach of the peace and reduce any potential legal vulnerability.

Notwithstanding, ANC may consider it prudent to seek termination of a lease and possession of the subject property.

The CEO may enter into an Agreement for such terms as deemed prudent to avoid termination of a tenancy or to re-enter an alternative tenancy.

Pets

ANC generally has a 'no pet' policy, subject to laws allowing some – e.g. Companion Animals Act. Private landlords generally do not permit pets and this policy avoids restriction only upon these tenants. Where this policy would cause undue hardship, tenants may apply to the Manager Community Services, who in consideration of all the circumstances may allow a pet as a special consideration.

Where ANC receives a transfer of housing from another housing provider, who allowed the subject pet/s, ANC will adhere to that allowance for the life of the subject pets.

Under no circumstances will a dangerous pet be permitted to be accommodated in ANC properties. In any case, pets that create a nuisance and or annoyance to neighbours will not be allowed to continue to be accommodated in ANC managed properties.

Tenants to Keep Premises Reasonably Clean

ANC, subject to adjustment to this definition according to law, defines the obligation of a tenant to keep their premises "reasonably clean" as "keeping premises, both internally and externally, in such a manner as to not attract vermin, not cause damage and to not be kept in such a manner so as to be considered by a reasonable person to be offensive, dirty and or unkempt".

Domestic Violence and Harassment

Scope

To define how ANC will respond to situations of domestic violence or harassment.

Reference to National Housing Standard

1.3 Changing Needs of Tenants

Policy

Tenants are entitled to reside in their property free from all forms of violence. ANC will implement systems to respond to tenants who experience domestic violence or harassment.

In determining ANC response to these situations, the views of the person experiencing the violence will be sought and incorporated (where possible) in any action taken.

ANC will normally require evidence of the pursuit of a legal remedy to threatened violence, including Police Incident numbers or Apprehended Violence Orders, rather than simply action on an allegation of a threat. The CEO may waive any requirement if satisfied the tenants' children or residents are in danger of violence.

Procedure

Domestic Violence and Ending a Tenancy

In New South Wales, the Residential Tenancies Act 2010, Section 85, allows a tenant or co-tenant to end their tenancy immediately, without penalty, if they or their dependent child are suffering domestic or family violence. To end the tenancy, a tenant will need to:

- Provide a domestic violence termination notice to Anglicare North Coast and attach one of the following permitted forms of evidence:
 - *a copy of the certificate of conviction for the domestic violence offence against you or your dependent child, **OR***
 - *a copy of a current Domestic Violence Order protecting you or your dependent child (need not be a final order), **OR***
 - *a copy of a current injunction granted under section 68B or 114 of the Family Law Act 1975 protecting you or your dependent child, **OR***
 - *a [declaration made by a medical practitioner](#) that: you or your dependent child are a victim of domestic violence. The form is in Schedule 2A Residential Tenancies Regulation 2010.*
- Provide a domestic violence termination notice to each co-tenant.

A tenant who ends their tenancy in circumstances of domestic violence is not liable to pay any compensation or additional money for the early termination.

A co-tenant (other than the perpetrator of the domestic violence) who remains in the tenancy after a tenant gives a domestic violence termination notice: may apply to the Tribunal to end their tenancy; and: is not required to cover the departing victim's share of the rent for a two-week period. Tenants subject to domestic and family violence may also apply for a transfer to another property, temporary accommodation or for assistance in taking over the tenancy if their name is not already on the lease.

Protection of Children at the Premises

Where a tenant is experiencing domestic violence and there are children residing at the premises, support and assistance will be offered to the non-violent tenant to ensure the safety and wellbeing of the children.

Where the tenant is unable or unwilling to ensure the safety of the children and it is believed the child/ren are at risk of harm the matter should be reported to relevant government authorities in accordance with ANC Notifiable Incident Policy.

Absence from dwelling

Scope

To define how a tenant absence from the property will be managed.

Reference to National Housing Standard

1.3 Changing Needs of Tenants

Policy

ANC will ensure that the best utilisation of its housing resources occurs. ANC will balance the needs of the tenants to be absent from their dwelling with community expectations that assistance be provided to those who need and can utilise it.

Request for Absence

A tenant can request in writing approval to be absent from the property for a period of not more than 3 months, provided acceptable arrangements are made for payment of rent and for the care of the property. Requests for absence of greater than 3 months can only be approved by the CEO or Manager of Community Services.

Where a planned general rent review falls within the period of absence, the tenant will be required to undergo a reassessment of rent prior to the absence commencing.

The tenant will be required to provide details of a local contact person for ANC and, where appropriate, contact details for the tenant during this period.

Where a tenant does not return within 3 months, ANC will endeavour to establish the whereabouts and intentions of the tenant. Refer to Ending Tenancies by the Tenant in this document if the tenant intends to end their tenancy; or Assumed Absence/ Abandonment/ Serious Concern, below, if the property appears abandoned.

Assumed Absence / Abandonment / Serious Concern

Where ANC is in receipt of substantive evidence that a tenant is absent from the property or it has been abandoned and that no request has been approved for such absence, ANC will attempt to establish the whereabouts of the tenant.

Where there has been a failure to establish the tenant's whereabouts or the property has been vacant for a considerable amount of time refer to section Termination of a Tenancy and Performance Orders in this document.

If there is good reason for serious concern about the health of the tenant or any other person on the residential premises and a reasonable attempt has been made to obtain consent to enter, permission must be sourced from the Manager for Community Services or CEO in order to enter the premises (two employees should conduct the visit) .

Ending Tenancies by the Tenant

Scope

To define how tenants may end their tenancy

Reference to National Housing Standard

1.4 Ending Tenancies

Policy

ANC will require that all tenants, as far as is possible, meet their obligations under the Residential Tenancies Act 2010 and that sufficient notice is given by the tenants of their intention to vacate a property.

Where possible, the reason for the vacation by the tenant will be sought by ANC.

Vacated Properties

The end of tenancy inspection will be completed with the tenant on their final day of tenancy or within 2 working day of the notification being received that the property is becoming vacant. If there are any repairs / cleaning items considered to be the ex-tenants responsibility, ANC will, in the first instance, attempt to negotiate with the ex-tenant for their completion. However, it is recognised that there is an imperative to have the property re-let at the earliest possible time and there will not be any undue delays.

Succession (assignment or Agreement)

Under the Residential Tenancies Act 2010, a tenant can apply to assign their tenancy agreement to another person. This assignment of the agreement to another person may also occur upon the death of the tenant.

In considering approval of such a written application ANC will conduct an interview with the applicant seeking succession and ensure that:

- The potential tenant is an existing and long term resident of the property;
- The household is eligible for housing assistance with ANC and
- The household meets the family size requirements of the property (where under occupancy will exist, the household can be considered for allocation of a suitable alternative property).

Breach of Agreement by Vacated Tenant

ANC will always endeavour to effectively resolve any breaches and disputes with the use of legal options. ANC will only consider any legal action against ex-tenants where a breach by the ex-tenant has been fully determined and, where any such action is taken ex-tenants will be treated fairly. Ex-tenants will always be informed of their right to independent advice and assistance.

Domestic Violence and Harassment

In New South Wales, the Residential Tenancies Act 2010, Section 85, allows a tenant or co-tenant to end their tenancy immediately, without penalty, if they or their dependent child are suffering domestic or family violence. Refer to Domestic Violence and Harassment section of this document.

Termination of a Tenancy and Performance Orders

Scope

To define the way in which ANC will ensure compliance with and ending of residential tenancy agreements.

Reference to National Housing Standards

- 3.1 Tenant Rights; and
- 1.2 Establishing and Maintaining Tenancies.
- 1.4 Ending Tenancies

Policy

ANC is committed to ensuring the long term sustainability of tenancies within the context of ensuring the continual provision of adequate and affordable housing for those in need in the community and the viability of the organisation. It acknowledges that for those who are unable to sustain a community housing tenancy, there are few alternative long term accommodation options. An order from the Consumer Trader and Tenancy Tribunal (NCAT) to rectify the situation will normally be regarded as the last resort to address issues with a tenancy. Where such an order is sought, tenants will be advised of their rights to support and advocacy through the legal process.

Procedure

Should a tenant significantly breach their lease agreement the responsible community housing staff member will submit a report to the Manager Community Services outlining the breach/s and any substantiating evidence.

The following steps will take place once the Manager Community Services has reviewed the report and is satisfied that a breach is evident.

Step 1

An informal verbal consultation should take place with the tenant notifying them of the breach/s. During this consultation a plan should be developed to improve the situation (e.g. the development of a plan to repay rent arrears, including clear timeframes);

Step 2

If the situation has not changed significantly then a first written warning should be issued that outlines the breach/s and indicates the possibility of termination.

Step 3

If the situation continues unchanged a second written warning should be issued that outlines the breach/s and indicates that this is the final warning to rectify the situation.

Step 4

A further verbal consultation should take place, or be attempted with the tenant, outlining the seriousness of the situation, and to ensure they understand that termination will occur if they continue to breach their tenancy.

Step 5

A written report outlining processes undertaken, evidence and recommendations should be submitted to the Manager Community Services. The MCS, if completely satisfied that no reconciliation can occur, will give approval for a termination notice to be issued. This notice can be mailed or hand delivered allowing adequate time as per the tenancy agreement and relevant legislation, to vacate (an extra 4 days should be allowed for postage).

If the tenant fails to vacate by the end of the termination date, and after consultation with the MCS, an application should be lodged with the NCAT to seek an order that reflects the best remedy to the current situation.

Domestic Violence and Harassment

In New South Wales, the Residential Tenancies Act 2010, Section 85, allows a tenant or co-tenant to end their tenancy immediately, without penalty, if they or their dependent child are suffering domestic or family violence. Refer to Domestic Violence and Harassment section of this document.

Administration Systems

Scope

To define strategies to be employed to ensure appropriate communication of tenancy related information.

Reference to National Housing Standard

6.2 Administration Systems

Procedure

Filing System

ANC will maintain an efficient and accessible and secure filing system.

Property Files

There will be a separate file for each property managed by ANC. The file will be divided into the following sections (in order):

- Property summary sheet
- Register of tenancies
- Miscellaneous information relating to the property
- Maintenance reports and action;
- Financial records, including rent receipts and bond lodgement details;
- Lease agreement/s and property condition reports

Tenant Files

There will be a separate file for each tenant. The file will be divided into the following sections (in order):

- File notes
- Correspondence;
- Centrelink forms
- Rental rebate application information
- Residential Tenancy Agreement and property condition report
- Consent forms
- Application for housing.

Library

ANC will maintain a housing management library where appropriate literature and reference materials can be catalogued and stored.

Tenancy database and tenancy files

All computer files will be backed up by the server each day at an off-site back up storage facility.

Function	Timeframe
New Tenancy Details	1 working day after tenancy start date
End of Tenancy Details	1 working day after discovery
Rental Subsidy Assessment: Fixed Rent Review	21 days after receipt of Application for Rental Subsidy (non-Centrelink ICS) Prior to Fixed Rent Effective Date (full Centrelink ICS households)
Rental Subsidy Assessment: Tenant Initiated Review	7 days after receipt of Application for Rental Subsidy
New Property Details	1 working day after tenancy start date

Relinquishing of Property	1 working day after termination date
Receipting Rent and Non-Rent Received	7 days after payment made
Entering Client Debit Notes	1 month after receipt
Processing Landlord Rent Payments	Monthly, prior to payment
Processing Contractor Invoices	5 working days after receipt

ICS – Income Confirmation Scheme

ANC will maintain property and tenancy database. The database in use as at November 2020 is the Chintaro software. This includes data bases for waiting list management and tenant information as well as specialist software packages capable of managing property information, owner details, maintenance orders, rental payments and rent ledgers.

The databases will be accessible only to relevant staff. Staff are required to enter changes to the Chintaro database in a timely fashion, the table below gives the timeframes for the updating of the various aspects of Chintaro:

Collection of Data

The computer based systems will be modified to collect data that can assist with collation of data for accountability to the Board, government and other stakeholders.

Improvements to data collection will be identified through quality control processes.

Reporting

The Manager Community Services will report to the CEO on a bi monthly basis, or more frequently if requested, outlining their activities during the reporting period. Such reports cover issues related to our Strategic goals, as identified in the Strategic Plan and include:

- Human Resource Management
- Occupational Health and Safety matters
- Growth opportunities
- Details of any complaints or feedback received
- Training and professional development
- Tenant and property issues (e.g. vacancy rates and arrears).

ANC Community Housing will ensure that quarterly data files are uploaded onto CHIMES Portal in accordance with contractual requirements with NSW Department of Communities and Justice.

Related documents

- Residential Tenancies Act 2010 No 42
- Community Housing Providers (Adoption of National Law) Act 2012
- NRSCH Provider Notifications Guide (Feb 2016).
- NSW Community Housing Rent Policy
- NSW Community Housing Eligibility Policy
- Asset Management Policy
- Asset Management Procedure

Definitions

Scope

These definitions apply to all occurrences of the words within this document.

Purpose

The purpose of the definitions is to define the technical and sector specific language to ensure conformity of understanding and interpretation.

Arrears	Arrears are created when tenants fall behind in their rent payments for a range of reasons.
	Length of arrears are generally reported as being: <ul style="list-style-type: none"> • Less than 2 weeks • At least 2 weeks but less than 4 weeks • At least 4 weeks but less than 8 weeks • At least 8 weeks but less than 12 weeks • More than 12 weeks
Asset Maintenance Plan	This is a plan for the maintenance of all capital properties. Social housing providers are responsible for all repairs and maintenance other than those of a major structural nature (refer definition maintenance – structural damage). Anglicare North Coast has 10 year asset plan, consistent with Land and Housing Corporation (LAHC) standards described in the Asset Management Framework (2018).
Appeal	A request for a review of a decision.
Benchmark	Can be defined as the best score available to measure satisfactory performance and may be based on the performance of organisations delivering a similar service under comparable conditions. It is used as a guide only to assessment.
'ANC'	Anglicare North Coast (ANC)
'ACH'	Anglicare Community Housing (CH)
Board	Board of Directors (BoD). The Board oversees the business and operations of the Organisation directly or through its Committees with particular focus on the Board's principal responsibilities. Further outlined in the Corporate Governance Statement.
Budget	The calculation (based on most recent figures and future estimates) of revenue and expenditure made by an organisation for a specific time frame. For social housing providers, this is usually done at the beginning of the financial year for the whole year. The Board approves the budget, which is fixed for the current financial year. A forecast is an estimate of income and expenditure that is made from time to time during the financial year in light of more accurate data on income and expenditure and is measured against the organisations budget.

Capital Property	<ol style="list-style-type: none"> 2. Community housing owned by Housing NSW, Land and Housing Corporation (LAHC) and allocated by the NSW Department of Communities and Justice (DCJ) to a registered community housing provider. 3. Includes properties jointly in a partnership arrangement between the DCJ and another company, local government, a church organisation or a community organisation; and 4. Community housing owned by the social housing provider either solely or in a partnership arrangement with another company such as local council, church organisation, another community organisation.
Cleanliness	ANC defines that obligation for a tenant to keep a property “reasonably clean” as keeping the premises, both internally and externally, in such a manner as to not attract vermin, not contribute to property damage and not be kept in such a manner so as to be considered by a reasonable person to be offensive, dirty or unkempt.
Complaint	The expression of dissatisfaction with service.
NSW Civil and Administrative Tribunal (“NCAT”)	<p>The NCAT is a service for determination and resolution of disputes throughout New South Wales. See: https://www.ncat.nsw.gov.au</p> <p>The NCAT deals with matters under the following 4 divisions and Appeal Panel:</p> <ul style="list-style-type: none"> - Administrative and Equal Opportunity Division - Guardianship Division - Appeal Panel - Consumer and Commercial Division - Occupational Division
NCAT (Successful application)	<p>A successful application occurs when an organisation has provided sufficient evidence to the NCAT and has adequately prepared its case, including mediation and conciliation, to have the matter decided in the organisation’s favour.</p> <p>A successful application also reflects a final order that is compatible or consistent with the original NCAT application.</p>
NCAT (unsuccessful application)	<p>Any application in which the order(s) sought by the social housing provider are dismissed due to insufficient, poor rental management systems or poor preparation of a case, or when a decision primarily in the tenant’s favour is granted.</p> <p>An unsuccessful application also includes situations where the social housing provider’s applications have been rejected on technical grounds (such as when documents have not been completed properly or a failure by the social housing provider to attend the NCAT at the specified time).</p>

<p>Debt (“Bad”)</p>	<p>A debt that has been deemed uncollectible and written off as a “bad”. Bad debt could include rent arrears, water usage and property damage costs caused by a tenant.</p> <p>Example: An ex tenant has outstanding rent arrears and damage cost and all attempts by ANC to contact the tenant have failed. As it is unlikely that ANC will collect any of the outstanding debt, the amount can be written off as “bad”.</p>
<p>Debt (“doubtful”)</p>	<p>Where it is questionable that a debt will be received and an amount has been provided for against the debt.</p> <p>Example: A tenant with high arrears has difficulty keeping to the arrangement to repay the debt within a reasonable time. This debt can be identified as “doubtful”.</p>
<p>Governance</p>	<p>Corporate Governance is: “Procedures and processes according to which an organisation is directed and controlled. The corporate governance structure specifies the distribution of rights and responsibilities among the different participants in the organisation – such as the board, managers, shareholders and other stakeholders – and lays down the rules and procedures for decision-making”.</p>
<p>Homeless, or at risk of being homeless</p>	<p>Primary Homelessness: People without conventional accommodation, such as people living on the streets, sleeping in parks, squatting in derelict buildings, or using cars or railway carriages for temporary shelter.</p> <p>Secondary Homelessness People who move frequently from one form of temporary shelter to another. It covers:</p> <ul style="list-style-type: none"> - People using emergency accommodation (hostels for the homeless or night shelters) - Teenagers staying in youth refuges - Women and children escaping domestic violence (women’s refuges) - People residing temporarily with other families (because they have no accommodation of their own) - Those using boarding houses on an occasional or intermittent basis. <p>Tertiary homelessness: People who live in boarding houses on a medium to long-term basis. Residents of private boarding houses do not have a separate bedroom and living room or kitchen and bathroom facilities of their own. Their accommodation is not self-contained; and they do not have the security of tenure provided by a lease.</p> <p>Marginally housed: People in a housing situation close to the minimum standard. The minimum community standard is equivalent to a small rented flat (bedsit) with a bedroom, kitchen and bathroom.</p>

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01/05/2020	1.3	Update to Notifiable Incidents and Complaints sections. TA
14/12/2020	1.4	Reformatted. Update to reference Community Housing Providers (Adoption of National Law) Act 2012 and Section 85 Residential Tenancies Act 2010.TA