Hunter Community Housing - Affordable Housing Policy

Section 1 - Purpose

(1) This policy provides information about how Hunter Community Housing manage affordable housing in accordance with relevant legislative and contractual obligations.

Section 2 - Scope

(2) This policy applies to all affordable housing properties managed by Hunter Community Housing and to all affordable housing tenants, applicants and workers of Hunter Community Housing.

Section 3 - Responsibilities

ROLE	RESPONSIBILITIES
Hunter Community Housing Board	The governing body of Hunter Community Housing responsible for the approval of this policy.
General Operations Manager	Responsible for the implementation and communication of this policy.
Workers	Ensure they have read, understood and comply with the policy.
Hunter Community Housing clients	To follow this policy and provide any relevant information to Hunter Community Housing.
The Diocese Governance Department	Managing the review process and publication of this policy.

Section 4 - Policy Statement

(3) Affordable housing is designed to assist households on low to moderate incomes to access rental housing.

(4) Affordable housing is let at a discount of at least 20% of market rent so that the household can afford to pay their rent and are able to meet other basic living costs.

(5) Housing is considered affordable if rent costs less than 30% of gross household income.

(6) Hunter Community Housing will ensure that affordable housing is managed in accordance with the following legislation, policies and guidelines:

(7) Residential Tenancies Act 2010 (NSW);

(8) NSW Affordable Housing Ministerial Guidelines;

(9) Hunter Community Housing's agreements with the owners of affordable housing; and

(10) Contractual requirements.

Section 5 - Principles

Eligibility

(11) To be assessed as eligible for affordable housing, applicants must meet the following criteria:

a. Be able to prove their identity;
b. Be a resident in New South Wales (NSW);
c. Be an Australian citizen or permanent resident;
d. Be able to sustain a successful tenancy, without support or with appropriate support in place;
e. If applicable, make repayments of any former debts to a social housing provider;
f. In general, be 18 years of age or older;
g. Receive a household income under the maximum income eligibility limit;
h. Be in housing need and unable to resolve this need in the medium to long term without assistance; and
i. Not have assets or property which could reasonably be expected to resolve their housing situation.

Applications

(12) Hunter Community Housing affordable housing applicants are required to view the property and complete an affordable housing application form for consideration.

(13) Additional documents may be required to be submitted as part of the application including evidence of income and assets for all household members.

(14) Hunter Community Housing will assess the application and evidence provided by the applicant to determine eligibility.

(15) Hunter Community Housing will not review an application until all of the required information has been provided by the applicant.

Allocations

(16) Affordable housing properties must be allocated to a mix of very low-, low- and moderate-income households.

(17) Allocations are made in accordance with the relevant agreements, policies and guidelines.

(18) Hunter Community Housing will balance the needs of households in housing stress with the requirement to generate sufficient income to meet operating costs.

Tenancy Management

(19) Affordable housing tenancies will be managed in accordance with the Residential Tenancy Agreement.

(20) The Residential Tenancy Agreement complies with the Residential Tenancies Act 2010 (NSW).

Rent

(21) Affordable housing is let at a discount of at least 20% market rent.

(22) The market rent is set by the property owner, in line with the market rates and the condition and features of the

property.

(23) Where Hunter Community Housing is the property owner, the market rent is determined in line with the condition and features of the property.

(24) Hunter Community Housing will not require a tenant to pay more than 2 weeks rent in advance under a Residential Tenancy Agreement.

(25) Hunter Community Housing will not knowingly appropriate rent paid by the tenant for the purpose of any amount payable by the tenant other than rent.

(26) Hunter Community Housing will apply rent increases in accordance with the Residential Tenancy Agreement and Residential Tenancies Act 2010 (NSW) (Division 2, Section 41).

(27) Hunter Community Housing will provide tenants with the required notice prior to applying a rent increase.

Tenure

(28) Leases will be offered for a twelve-month period and then reviewed annually to ensure that the household remains eligible for the program.

(29) The maximum lease tenure may be dependent on the program guidelines and contractual obligations of the property.

Non-Rent Charges

(30) A rental bond of an amount not exceeding four weeks of the market rent of the property, is charged to affordable housing tenants if stated in their Residential Tenancy Agreement.

(31) Water usage is on-charged to affordable housing tenants residing in separately metered properties, where the residential property meets the water efficiency measures in the Residential Tenancies Act 2010 (NSW), and it is stated in their Residential Tenancy Agreement.

(32) Affordable housing tenants are liable for damages caused by a member of the household or by any person who is lawfully on the residential premises.

(33) Hunter Community Housing will charge affordable housing tenants any other charges incurred which relate to a tenancy and is a charge that the tenant is responsible for under the Residential Tenancy Agreement.

Repairs and Maintenance

(34) Hunter Community Housing will work with the property owners to ensure that the properties are maintained in a reasonable state of repair, having regard to the age of, rent payable for and prospective life of the premises.

(35) Hunter Community Housing recognises this obligation applies even though an affordable housing tenant may have had notice of the state of disrepair of a property before entering into occupation of the residential premises.

Additional Occupants

(36) Affordable housing tenants may request approval for a person who is not listed on the Residential Tenancy Agreement to become an additional occupant.

(37) When reviewing applications for an additional occupant, Hunter Community Housing will take into consideration:

(38) The relevant agreements, policies and guidelines;

(39) Whether the property is suitable;

(40) Whether the additional occupant will cause the property to be over-occupied; and

(41) That the household income will not exceed the maximum income eligibility limits.

Ongoing Eligibility

(42) Affordable housing tenants are expected to meet the requirements of their Residential Tenancy Agreement.

(43) Affordable housing tenants who have met their tenancy obligations and who maintain eligibility for the program may be eligible to have their lease period extended.

(44) To remain eligible for the program, affordable housing tenants must continue to meet the eligibility criteria as noted in the Eligibility section.

(45) The program guidelines and contractual obligations of the property may impact the property's status as affordable housing.

Eligibility Review

(46) Pending no changes as per clause 43 Hunter Community Housing will conduct an eligibility review within six months of the expiration of the Residential Tenancy Agreement.

(47) An affordable housing tenant must provide proof of household income and other information for the eligibility review as requested by Hunter Community Housing.

(48) The tenant will be deemed ineligible if the required information is not provided in the allowed timeframe for an eligibility review.

(49) The income eligibility limits used for the review are specified in the NSW Affordable Housing Ministerial Guidelines.

(50) Tenants are permitted to earn up to 25% above the maximum eligibility income for moderate income before they are deemed ineligible.

(51) Where a tenant is found to be ineligible, Hunter Community Housing will assist the tenant to find alternative housing options.

(52) A tenant can be given up to twelve months to move to alternative housing, depending on their circumstances.

(53) Where Hunter Community Housing is listed as the landlord on the Residential Tenancy Agreement, Hunter Community Housing can use Section 143 of the Residential Tenancies Act 2010 to terminate the tenancy based on the tenant no longer being eligible to reside in the class of social housing to which the agreement applies.

(54) Before providing the tenant with a termination notice under Section 143 of the Residential Tenancies Act 2010, Hunter Community Housing must notify the tenants in writing of its intention.

(55) Under Section 145 of the Residential Tenancies Act 2010, a tenant has the right to apply to the Landlord for review of this decision.

(56) Where a tenant applies for a review under Section 145 of the Residential Tenancies Act 2010, a landlord must review the decision against ongoing eligibility criteria and consider information the tenant has provided before making the final decision.

Termination of Tenancy

(57) The termination of affordable housing tenancies will be managed in accordance with the Residential Tenancy Agreement.

Section 6 - Appeals and Internal Review

(58) If a tenant disagrees with a decision Hunter Community Housing has made, they should speak to Hunter Community Housing.

(59) If they are still dissatisfied, they can request an internal review in accordance with the Hunter Community Housing Appeals Policy.

Section 7 - Consequences of Breaching this Policy

(60) Any worker found to be in breach of this policy may be subject to disciplinary action, including where a serious breach occurs, dismissal.

Section 8 - Notations

(61) If there is any inconsistency between a policy document in existence before the commencement of this policy, and a policy document developed after the commencement of this policy, the later applies to the extent of the inconsistency.

Section 9 - Document Review

(62) This policy will be reviewed when there is a legislative change, organisational change, delegations change, technology change or at least every 3 years to ensure it continues to be current and effective.

This policy document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of staff printing this document to always refer to the Catholic Diocese of Maitland-Newcastle's Policy Portal for the latest version.

Status and Details

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Unit Head	Ray Bowen Director Property and Housing
Enquiries Contact	Hunter Community Housing

Glossary Terms and Definitions

"Worker" - A person who carries out work in any capacity for an employer or 'Person Conducting a Business Undertaking'. This includes: • employees; • teachers; • educators; • contractors; • apprentices; • clergy; • religious; • student placements; • trainees; and • volunteers/unpaid . In the Catholic Diocese of Maitland-Newcastle, 'worker' includes those who carry out work in diocesan parishes, within diocesan agencies and as a part of the diocesan curia.