

Affordable Housing

Overview

This policy explains how we will manage affordable housing and meet our responsibilities under law, other rules and our agreements.

Scope

This policy applies to Muslim care

Definitions

Affordable housing

Affordable housing is housing for people on very low to moderate income, who earn at least some of their income from regular paid employment.

Market rent

Market rent is the rent that would be charged for the property if the rent wasn't discounted.

Guiding principles

We will manage our affordable housing in line with the following laws, guidelines and agreements:

- Residential Tenancies Act 2010 (NSW)
- NSW Affordable Housing Ministerial Guidelines
- National Rental Affordability Scheme (NRAS) Policy Guidelines and rules
- Our agreements with the owners of affordable housing such as councils and developers
- Contractual requirements

Purpose

Affordable Housing is designed to provide an option for Applicants who derive some income from employment but earn too much to qualify for Social Housing.

Affordable Housing is not offered as a long-term housing solution but is designed to meet the short to medium-term housing requirements for those most in need, that do not have assets or other means to resolve their own housing requirements in the private rental market.

The aim of the program is to relieve immediate rental stress and support households in the direction of income growth, towards private housing options or home ownership in the future.

Eligibility

Each affordable housing program has rules that applicants need to meet to be eligible. The rules are different for each program.

All applicants must:

- Be an Australian citizen or permanent resident.
- Be a resident in New South Wales.
- Prove their identity.
- Be able to meet their responsibilities as a tenant, with or without support.
- Be paying back any money that they owe to Housing NSW or a community housing provider.

- Usually, be 18 years of age or older.
- Earn at least some income from regular paid employment.

Income limits

A household's gross income must be equal to, or below, the moderate income level for the household type. These are different for each program and are reviewed each year. For more information, refer to the NSW Affordable Housing Ministerial Guidelines.

An applicant's income must be enough to ensure that rent is affordable.

Assets

Applicants or household members cannot have assets that could help resolve their own housing needs. This includes a large amount of savings, property, shares or investments. This does not stop people from saving a deposit for a home.

In some circumstances, for customers who have disclosed assets that may resolve their own housing need, we may offer an initial lease of 6-months. This is assessed on a case-by-case basis and determined by the level of the household requirements and need at the time of applying for housing. At the end of the initial lease term, the household must demonstrate what they have achieved in line with the purpose of the program to be considered for a further and final 6-month lease

Housing need

Applicants must show they need housing and cannot resolve their own housing needs without help.

Other requirements

Other rules may apply depending on the program. We will let people who are applying for housing know which rules apply. These may include:

- Connection to the area: Applicants might need to show that they have a connection to the area where the housing is. This may include family, social supports, education, training, or work in the area.
- Current housing arrangements: People that currently live in social or affordable housing or have lived in affordable housing in the past are not eligible for some programs.
- Current employment: There may be rules which prevent our employees, employees of the property owners, and their families from applying for housing. For properties that we own, or programs that allow employees to be housed, we may offer housing to employees if they meet the eligibility rules and if it is approved by our CEO.

Assessment of applications

We will look at information given to us to work out if a person is eligible for housing. If an application is missing information, we will contact the person and tell them what they need to give us to complete their application and by when. We cannot look at an application until we have all the information we need. If we do not receive all of the information by the date given, we will close the application.

If someone gives us information that is not true or correct that could impact their eligibility, we will take them off our waiting list and tell them why.

The information and evidence submitted with the application should outline why the Affordable Housing Program will be of benefit to the household based on the purpose of the program.

Waiting lists

We will keep a waiting list of people who are eligible. We will tell people if we add them to our waiting list. We will manage our waiting list in line with the rules for each program.

We may ask people on the waiting list to update their details from time to time. They may also need to reapply after some time depending on the program rules.

In some circumstances, we may contact people from the NSW Housing Register to see if they are interested in affordable housing.

Allocations to vacant properties

We will allocate properties to people who meet the rules for each program.

We need to make sure that the programs can keep operating and that tenants can afford their rent. To do this, we will work out whether a person can pay the rent before we offer them housing.

For some programs, we will allocate affordable housing properties to people who are on the NSW Housing Register.

Property offers

When we make an offer, we will

- Make sure that the type and location of the property meets their needs. We will use information that people give us to work out if a property is suitable.
- Give people 24 hours to think about an offer.
- Explain the lease term, continued eligibility requirements and any specific property information.
- Explain their options.
- Tell people about the rules which apply to the property.
- Tell the applicants from the NSW Housing Register that:
 - i. If they accept the property, their social housing application will be closed.
 - ii. If they decline the property, it will not be classified as an offer.

Start of Tenancy

When a person accepts an offer, we will ask them to sign a tenancy agreement. The initial tenancy agreement will last for 3-12 months with the maximum lease tenure dependent on the program guidelines. The person must sign a tenancy agreement within 3 business days of accepting the offer unless we agree otherwise.

Before a lease agreement will be arranged, the person will need to be able to pay 2 weeks rent and, in most cases, 4 weeks' bond when they sign their tenancy agreement. Bonds will be managed in line with our legal duties. In some circumstances the Team Leader, Affordable Housing, may accept that a bond will not be paid.

Rent

Rent is usually 74.9% of the market rent.

However, people who are allocated affordable housing from the NSW Housing Register will pay 25-30% of assessable income (depending on the program), plus all of the Commonwealth Rent Assistance they are entitled to receive (as per the Community Housing Rent policy), capped at 74.9% of the market rent. Family Tax Benefit, Youth Allowance and other forms of income will be charged at the rates set out in the Community Housing Rent Policy.

We will tell people the percentage of rent they have to pay when we offer them a property.

Tenants can pay rent each week or fortnight, as long as it is paid on time.

During the Tenancy

Review of market rent

We will look at the market rent every year and any other time required by the rules. If the market rent is going to change, we will tell our tenants in line with our legal duties.

Continued eligibility

To remain in affordable housing, households must continue to meet the eligibility criteria which includes demonstrating an ongoing housing need. That is, Applicants or household members cannot have assets that could help resolve their own housing requirements.

Each program has different rules that tenants need to meet to be able to keep living in the property. The rules also say the maximum time that a person can live in a property.

We will look at a tenant's situation before their tenancy agreement ends and work out whether they can keep living in the property. This will include asking the tenant to provide current proof of the household income and evidence of what they have achieved towards resolving their own housing need.

If a tenant meets the rules, we may sign a new tenancy agreement with them.

If a tenant is no longer eligible for the program, we will explain their options to them and may end their tenancy as per the Residential Tenancies Act

If an affordable housing tenant wants to apply for social housing, they must follow the normal Housing Pathways application process.

Mutual Exchange and Transfers

Tenants can apply for a transfer to other affordable housing properties if they meet the rules for that program. Tenants will need to submit a new application and provide current supporting documentation if they want to be considered for a transfer to another affordable housing program. We will manage transfers using the rules for each program. This will be treated as a new application.

Mutual exchange is not allowed.

Additional household members

Tenants must ask for approval in writing if they want someone else to live in the property.

When we receive a request for someone else to live in the property, we will look at:

- Whether the household will still meet the rules for the program.
- Whether the property is suitable.

Succession

If the tenant leaves the property, household members cannot apply for succession but can apply for affordable housing if they meet the rules for the program. If eligible, the household member may be able to remain in the same property.

Ending a tenancy

We might end a tenancy if a tenant:

- Breaks the rules of their tenancy agreement
- No longer eligible for the program

If we are going to end a tenancy, we will make sure that we meet our legal duties.

A tenant can end their tenancy agreement by telling us in writing and giving us the amount of notice needed by law.

End of tenancy charges, debt and rent arrears

If a tenant leaves and owes us money, we will make a claim against their bond. We may apply for an order from the NSW Civil and Administrative Tribunal (NCAT)

- If the tenant disagrees with the claim for the bond
- If the money the tenant owes us is more than the bond
- If the amount owed exceeds the bond amount by \$500 or more

If the amount owing is more than the limit for the NCAT, we might take other legal action to get the money back (e.g. local court)

Appeals and complaints

Applicants or tenants can appeal decisions or make a complaint. Read our Appeals Policy or Complaints Policy for more information.

If a person is still not happy with our decision about their appeal, they may be able to lodge an appeal with the Housing Appeals Committee (HAC) to look at our decision. An appeal with HAC should be made within 3 months of our decision. A person should contact HAC to seek advice on what they may appeal.

Relevant laws, regulations or standards

- NSW Affordable Housing Ministerial Guidelines
- National Rental Affordability Scheme (NRAS) Policy and Guidelines
- Anti-Discrimination Act 1977 (NSW)
- Residential Tenancies Act 2010 (NSW)

Policy Information

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