

# Allocations

## Overview

This policy explains how we will allocate properties that we manage and meet our contractual and legal duties.

## Scope

This policy applies to properties managed by Muslim Care. Allocation of affordable housing is not covered in this policy. Affordable housing allocations can be found in our Affordable Housing policy.

## Purpose

The purpose of this policy is to:

- Make sure that all eligible people have equal access to housing
- Maintain a fair, needs based allocations process and non-judgemental attitude to all customers
- Make sure that individuals are not discriminated against
- Provide an open and transparent allocations process
- Meet our funding commitments, as well as legal and regulatory requirements for all housing programs
- Coordinate access to social housing through Housing Pathways
- Make the most of housing resources
- Meet our aim of housing at least 2 Aboriginal and Torres Strait Islander people per month

## Housing Allocations

General housing will be allocated to eligible people from the NSW Housing Register in accordance with Housing Pathways policies. The register includes new applicants for social housing and tenants who have been approved for transfer from both Department of Communities and Justice and participating social housing providers. Generally, allocations will be made according to priority, date of application and the suitability of the property available, although on occasions we may provide out of turn housing to a person in order to meet another purpose, such as:

- To a customer receiving either the Department of Communities and Justice Private Rental Subsidy or Rent Choice Assist Subsidy; or
- A non-standard allocation

## Non-standard allocations

In some circumstances, we may make non-standard allocations to fill vacant properties.

A non-standard allocation is when an applicant is selected from the NSW Housing Register that may not have the highest priority.

We may make non-standard allocations in the following situations:

- To meet the needs of someone who is at serious risk or in imminent danger
- For an urgent transfer approved for escalation, including tenants being relocated for management purposes

- For a person with specific needs e.g. if they need a specific location or property
- To meet internal or contracted strategic objectives
- For nominations from support agencies
- When we have a property that is difficult to allocate

We may also make a non-standard allocation to proactively improve access to social housing for Aboriginal and Torres Strait Islander people and increase the percentage of Aboriginal and Torres Strait Islander people that we house. We will aim to house at least 2 Aboriginal and Torres Strait Islander people per month.

Reasons for non-standard allocations must be supported by evidence and documented.

Applicants for a non-standard allocation can only be approved by a Head of Region or higher including where those approvals are made in advance of a specific property being available.

Once a non-standard allocation is approved, a Team Leader can approve allocation to a specific property.

#### Housing Registerable Persons

We will comply with the Social Housing Assistance Policy for Registerable Persons.

#### Supported housing programs and transitional housing

Supported housing is where a tenant living in a property that we manage receives formal support from one or more services to help them maintain their tenancy and be able to live independently.

Transitional housing are short term tenancies, generally up to 18 months, where tenants do not have to be on the NSW Housing Register and are instead nominated by a preferred support provider.

For supported housing and transitional properties, our partner support agencies will nominate potential tenants who are linked with support and have an active application on the NSW Housing Register (unless the program specifically exempts applicants from meeting Housing Pathways eligibility). We will meet the policies/guidelines for the specific program and any service agreements when making these allocations.

#### Specialist Disability Accommodation (SDA)

We manage a portfolio of SDA properties in partnership with licensed disability support providers. Each person living in these properties must be a current participant under the National Disability Insurance Scheme, be approved to live the relevant SDA building category and have sufficient SDA funds included in their support package. Allocations and vacancies will be managed in accordance with the service agreement between us and the support provider.

#### Properties with specific features

##### Modified properties

We will only allocate properties that have been modified for people with a disability to people with a demonstrated need for these features, unless these properties are readily available or have been vacant for a long time. The person or their household member must have documentation from a medical professional or allied health care worker that supports their need

for a property with modifications and the modifications must meet the needs of the person or their household.

#### Ground floor properties

We will only allocate ground floor properties or properties with level access to applicants/a household with a demonstrated need for this feature, unless these properties are readily available or have been vacant for a long time. The applicant/household member must have documentation from a medical practitioner or allied health care worker? – consistency which supports their need for a ground floor or level access property.

Ground floor properties or properties with level access will also be targeted to seniors where appropriate, to allow seniors to age in their home.

#### Properties with sustainability performance ratings

Tenants housed in properties with energy efficiency measures and/or which are designed to meet high performance sustainability ratings may not be allowed to make alterations to the property such as installing air conditioning or heating. These properties will only be allocated to suitable applicants. Applicants will be told about any restrictions when they are offered and allocated the property.

#### Local allocation strategies

There may be times when we develop a local strategy for allocations in a particular area or estate. These strategies may be implemented for vacancies when:

- There is high concentration of community and/or public housing
- There is a high concentration of tenants with multiple health, social or economic issues
- There are existing tenancy management issues or a potential for them to develop
- There are existing issues which will be made worse if we do not carefully manage allocations
- There is a mismatch of supply and demand making the property hard to let

#### Properties with planning restrictions

Some of our properties may need to meet certain planning criteria or policies. We will make sure that we consider any relevant planning criteria or policies when we are allocating properties that we manage. Examples of such properties include:

#### State Environmental Planning Policy 2004 (SEPP)

#### Housing for seniors or people with a disability:

- Seniors (people who are aged 55 years or older or 45 years or older for Aboriginal and Torres Straight Islanders)
- People who have a disability as defined under the SEPP, that is:  
people of any age who have, either permanently or for an extended period, one or more impairments, limitations or activity restrictions that substantially affect their capacity to participate in everyday life.
- A person whose partner (married or de facto) is a senior or is a person with a disability as defined under the SEPP

## Pensioner Properties

### Public Housing for Pensioners:

- Seniors (people who are aged 55 years or older or 45 years or older for Aboriginal and Torres Straight Islanders)

### Public Housing Senior Communities

#### Public housing specifically for older people:

- Seniors (people who are aged 55 years or older or 45 years or older for Aboriginal and Torres Straight Islanders)
- Two-person adult households (where at least one person is aged 55 years or older or 45 years or older for Aboriginal and Torres Straight Islanders)

In some circumstances, we may make a non-standard allocation to fill vacant properties that have certain planning or policy criteria. These allocations will be managed in accordance with our Non-Standard Allocations.

## Entitlements

We will offer and allocate properties that are suitable for the person and their current household members. We will allocate properties to people based on the minimum bedroom entitlements and allocating bedrooms for children shown in the tables below. The General Manager, Customers and Communities, may approve other allocations at their discretion.

### Minimum bedroom entitlements

Household composition	Minimum bedrooms
Single person	Studio/One bedroom
Couple	One bedroom
Single person or couple with one other household member	Two bedrooms
Single person or couple with two other household members	Two bedrooms
Single person or couple with three other household members	Three bedrooms
Single person or couple with four other household members	Three bedrooms
Single person or couple with five or more other household members	Four bedrooms

Notes: We don't provide additional bedroom for specific cultural groups. We will consider requests for additional bedrooms due to ongoing medical reasons or disability on a case by case basis. These requests must be supported by appropriate medical documentation.

### Allocating bedrooms for children

Situation	How we allocate bedrooms
Children 18 years of age or older	Children 18 years of age or older are considered adults when determining the bedroom entitlement

Children of the same sex who are under 18 years of age	Children of the same sex who are under 18 years of age are expected to share a bedroom
Male and female children who are under 18 years of age	Male and female children are expected to share a bedroom until one of the children reaches 10 years of age
Children under the age of 2	We will not allocate an additional bedroom for a child under the age of 2
Children who may need a separate bedroom in 2-3 years' time	We will, where possible, consider the current circumstances and future needs of children when allocating a property. Decisions regarding future needs will be made on a case by case basis according to the size and type of housing that is available in the area.
Children with special needs	We will allocate an additional bedroom where the tenant/applicant can demonstrate a need for same sex children or children under the age of 10 to have separate bedrooms
Shared custody/access visits from children	We will consider the children to be part of the household if they stay for 3 days or more per week. Formal documented evidence is required.

#### Offers of housing

Applicants, including transfer applicants, will be offered 2 reasonable offers of housing. Allocations are made based on information provided by the applicant/tenant. If there is evidence of false or misleading information provided by the applicant/tenant, we may withdraw the offer of housing.

In allocating properties, we will consider the information the applicant has provided and the property elements to make sure that the property is suitable. Through this process, we will make sure that:

- The property being offered is appropriate for the person's current household needs
- There won't be under or over-occupancy
- The property location matches the applicant's needs
- The property type will not have a negative impact on a person's health or disability
- We do not think that the neighbourhood will have a negative impact on the new tenant's well-being; and the new tenant will not have a negative impact on the neighbours.
- We document any reasons for not allocating a property to an individual and we review the information before making a final decision

An offer is not reasonable if the property:

- Has a negative impact a medical condition or disability of an applicant or their household or makes it harder for them to stabilise or improve their condition
- Places the applicant or their household in an area that will put them at risk
- Makes it difficult for the applicants or their household to remain together If an applicant does not accept an offer:
- We will send a letter requesting the reasons for rejection and for any supporting documentation to be provided to us within the 28-day timeframe

- We will consider the information and decide whether the applicant’s response is:
  - a. A rejection and considered to be a reasonable offer, this will count towards the number of offers an applicant is entitled to receive; or
  - b. A rejection of an unreasonable offer and should be withdrawn as the offer did not meet their needs; and
- We will respond in writing to the applicant advising the outcome of the review.
- Rejections of offers will be managed in accordance with Muslim Care and housing pathways policies.

The applicant can expect us to:

- Confirm the applicant’s current situation to make sure that the offer meets the applicant’s needs.
- Inform them about information and documentation they need to provide before any offers are made, especially if the applicant specifies a particular type of dwelling or location
- Determine if the applicant has any support needs and decide if offer is appropriate.
- Promote stable communities and sustainable tenancies.
- Offer the property to the applicant/tenant once a suitable match has been identified.
- Explain the offer policy, the options available and what will happen when an offer is accepted, rejected or withdrawn along with the timeframes for responding to offers of housing.
- Make up to two offers of reasonable of housing.
- Give the applicant 24 hours to consider an offer.
- Encourage the applicant to accept the first reasonable offer and explain what happens if the offer is rejected.
- Understand that an applicant has a right to reject an offer of housing without being penalised and to appeal an offer if they think it wasn’t reasonable.
- Consider requests for modifications to properties as required and in accordance with our Modification of Properties Policy.
- Disclose any known material facts when offering a property as required by the Residential Tenancies Act 2010.
- Withdraw an offer if it is not reasonable.

Criteria for accepting, rejecting and withdrawing housing offers and suspending applications

Situation	Evidence
Offer accepted	The person has accepted the property and must sign a tenancy agreement within 3 business days.
Offer is rejected and is considered to be reasonable offer	The offer of housing meets the matching requirements and: <ul style="list-style-type: none"> <li>- There are no grounds for suspending the person’s NSW housing register application.</li> <li>- The person did not provide any new, substantiated information to us about their needs within the required timeframe</li> <li>- The person has declined the offer for a reason that we consider to be a</li> </ul>

	<p>personal preference because it does not directly impact on the person's housing needs. Common examples include:</p> <ul style="list-style-type: none"> <li>i. Wanting a brick property</li> <li>ii. Wanting floorboards or tiles or vinyl instead of carpet</li> <li>iii. Wanting gas rather than electricity</li> <li>iv. Not liking the neighbourhood</li> <li>v. Not liking the cladding, internal or external layout, design, or colour scheme of the property</li> <li>vi. Wanting a bath rather than a shower</li> <li>vii. Wanting a different suburb (where the need for a particular suburb has not been established)</li> <li>viii. Wanting a specific street</li> <li>ix. Wanting to live near shops, family, school, church (where the need for a specific location has not been established)</li> <li>x. Wanting a different type of property (house, townhouse, villa or unit)</li> <li>xi. Wanting to live on a specific floor of a block of units</li> </ul> <ul style="list-style-type: none"> <li>- Wanting only a senior communities' property <ul style="list-style-type: none"> <li>i. Wanting us to match them to a property based on their pet's needs</li> </ul> </li> <li>- The person has declined the offer due to not liking, or being unwilling to accept, our requirements or the requirements of the type of the housing program, for example: <ul style="list-style-type: none"> <li>i. The type or length of lease we offer</li> <li>ii. The need to pay rent in advance and/or bond at sign up (if relevant)</li> <li>iii. Any additional terms attached to the Residential Tenancy Agreement.</li> </ul> </li> </ul>
Offer withdrawn	<ul style="list-style-type: none"> <li>- The person didn't accept the property and we have decided that the person's decision is valid because, based on information provided by the person,</li> </ul>

	<p>the property did not meet their needs. Such information may include a letter and supporting documents explaining their reasons for declining an offer and supplying relevant supporting documentation such as a: - Medical Supplement Form - Letter from their doctor or health care provider - Letter from their support provider - Letter from their employer</p> <ul style="list-style-type: none"> <li>- We offered the property but we now need it for a person with more urgent need.</li> <li>- We matched the applicant to the property but did not provide the details to the person because the person's needs or circumstances had changed.</li> <li>- We matched the person to the property but did not provide the details to the person because they did not meet the eligibility criteria.</li> <li>- The person decided not to accept an offer of a bedsitter, high rise or senior communities' property. We will change Pathways records to show that the person should not be offered this type of property again.</li> <li>- The person rejected the offer because of material facts about the property that we disclosed under the Residential Tenancies Act 2010 (NSW). Note: Only material facts relating to Residential Tenancies Regulation 2019 clause 8(1)(a) - (e) and (j) will be considered valid for withdrawal of an offer. Rejection of offers based on material facts relating to clause 8(1)(f)- (i) will be considered on case by case basis by the Head of Region.</li> <li>- The person rejected the offer because there has been a death by suicide in the property</li> </ul>
Application suspended	<p>The person provided information demonstrating that they are temporarily in a situation where they are unable to accept an offer due to circumstances beyond their control. These circumstances include, but are not limited to, situations where the person:</p> <ul style="list-style-type: none"> <li>• Is experiencing illness or is in hospital.</li> <li>• Is overseas or on holidays.</li> </ul>



	<ul style="list-style-type: none"> <li>• Cannot terminate a residential tenancy agreement.</li> <li>• Is in prison</li> </ul>
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Once a decision is made, the offer and the outcome will be updated on the NSW Housing Register using the Housing Pathways process.

Relevant legislation, regulations or standards

- Residential Tenancies Act 2010 (NSW)
- Residential Tenancies Regulation 2019 (NSW)
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP)

**Policy information**

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