

Allocation and Commencement of a Tenancy

Policy

Date effective: 21 May 2019

1. Purpose

This policy outlines the method by which the Department of Local Government, Housing and Community Development ('the Department') allocates properties to clients on the waitlists and the requirements for commencement of a public housing tenancy.

2. Scope

This policy applies to all eligible applicants on public housing waitlists and existing tenants transferring to alternative public housing properties.

3. Policy detail

The Department will carefully balance the needs of the applicant with the type of property available, when allocating from waitlists.

Prior to an offer of housing being made, the Department will contact the applicant to verify:

- continuing need for public housing;
- entitlement;
- specific social, medical and physical requirements; and
- eligibility (where appropriate).

This information is required to match the needs of the household to properties available. The Department aims to match existing characteristics and amenities of a vacant property to the requirements of household occupants to ensure the property is suitable and any required modifications are minimal.

3.1. Allocations

3.1.1. Confirmation of eligibility for applicants in urban centres

Applicants for public housing in urban centres will be required to attend an interview with the Department, at which time a reassessment of eligibility is conducted. Two acceptable tenancy references must also be provided.

Discretion may be exercised to exempt an applicant from the requirement to provide tenancy references, if:

- it can be established through alternative means that the applicant has the necessary skills and support to satisfactorily maintain a public housing tenancy; or
- the household can demonstrate active participation in an appropriate life skills or community support program to gain the required tenancy skills; and
- ongoing commitment is demonstrated by an appropriate advocate or community support network to support the household to maintain the tenancy.

3.1.2. Offer of accommodation

An acceptable tenancy reference will detail that as a tenant, the applicant:

- had a good payment history;
- maintained the property to a reasonable standard; and
- there were no issues of antisocial behaviour at the tenancy.

In urban centres, the applicant:

- Will only receive one offer. Should the applicant reject the offer without good reason, the application will be cancelled and no credit for wait time will be given if the applicant elects to reapply for public housing.
- May request an offer be deferred. The Manager has discretion to allow deferral for a maximum period of six months. The applicant will be required to prove reasonable grounds for being unable to commence a tenancy within 7 business days of receiving an offer. Supporting documentation may be required.
- Must advise their decision within 24 hours, following opportunity to inspect the property externally. The response period may be extended where an internal inspection is required to establish suitability of the dwelling for applicants with medical or disability requirements.

3.1.3. Order of allocation

In urban centres, housing is generally allocated to applicants in the order in which they apply. However, to ensure available properties are aligned with the needs of the household, the applicant at top of the wait list may not necessarily be offered the next available property.

Allocations are generally made in this order:

- Entitlement Transfers
- Medical or Social Transfers
- Priority Wait List applicants
- Accelerated applicants
- Transfers between Locations
- General Wait List

Remote community and CLA properties are allocated according to need. Need is established under the following grounds:

- homelessness;
- overcrowding;
- frail, aged, and disability;
- domestic and family violence;
- local employment;
- other criteria appropriate to individual communities in consultation with relevant Housing Reference Groups (HRG); and/or
- households with specific medical/physical needs.

3.2. Commencement

All applicants are required to commence their tenancy within 7 business days of accepting an offer of accommodation.

Rent is charged weekly on a Monday. At commencement, tenants paid fortnightly are encouraged to pay one week's rent, plus any additional days required to align regular rent payments with their pay cycle.

Tenants will not be given keys or the right to occupy a property until a tenancy agreement (or occupancy document) has been signed, arrangements for the security deposit/bond are in place and required rent in advance has been received.

Condition reports at commencement of the tenancy are completed in accordance with requirements of the *Residential Tenancies Act 1999*.

3.2.1. Security Deposit (Bond)

Security Deposits (bond) are held in trust, in accordance with requirements of the *Residential Tenancies Act 1999*.

Bond is payable by tenants who enter into tenancy agreements. The amount of bond required is determined by the location and type of public housing in addition to the age of the tenant.

Type of Public Housing	Age Pensioner	Non-aged Pensioner	New Build or rebuild/refurbished
Urban centres	4 weeks rebated rent	2 weeks full rent plus 2 weeks rebated rent	N/A
Remote centres	4 weeks rebated rent	4 weeks rebated rent	4 weeks rebated rent
Community living areas	4 weeks rebated rent	2 weeks full rent plus 2 weeks rebated rent	N/A

Except in remote communities, tenants who have difficulty paying the entire bond at commencement of their tenancy, may pay half up front and the balance over a 6 month period.

In remote communities, payment of the bond is not required at the time the tenancy agreement is signed but it is payable over a 12 month period. Additionally, at the discretion of the Director, the amount of bond may be reduced where financial hardship is established.

4. Roles and Responsibilities

Role	Responsibilities
Front-line staff	<ul style="list-style-type: none"> Re-assess client eligibility at the Pre-Tenancy Interview Forward difficult or unusual cases to the Manager
Housing Reference Groups	<ul style="list-style-type: none"> Provide advice on any cultural or community factors which may impact on an allocation
Manager	<ul style="list-style-type: none"> Final decision on which client will be allocated the available property
Director	<ul style="list-style-type: none"> May accept clients with less than two references May exempt clients from eligibility requirements at the point of allocation

5. Discretionary decision making

Discretion can be applied to this policy using the Discretionary Decision Making policy.

6. Complaints and/or appeals

If a client is not satisfied with either a decision or action of the department, they can access the department's complaints and/or appeals processes. For further information, please refer to the Complaints and/or Appeals policies.

7. Review of the policy

If at any time the legislative, operating or funding environment is so altered that the policy is no longer appropriate in its current form, the policy shall be reviewed and amended accordingly. This policy will be reviewed within two years of release.

8. References

8.1. Legislation

Housing Act 1982

Residential Tenancies Act 1999

8.2. Policies

Designated Complexes policy

Eligibility for Public Housing policy

Entitlement policy

Housing Reference Groups policy

Priority Housing policy

Property Management policy

Rent policy

Rental Rebate policy

Wait Lists policy

9. Document change control table

Release Date	Version Number	Approved by (position)	Section amended	Category
21/05/2019	4.01	Director Policy	all	Editorial amendments
30/09/2016	4.00	Director Policy	3.1.3	Editorial amendments
24/03/2016	3.00	Director Policy	3.2	Editorial amendments
24/11/2015	2.00	Director Policy	all	Editorial amendments
2/09/2013	1.00	Executive Director, Housing Operational Client Support	all	New separate policy derived from Housing Services Operational Policy Manual, Chapter 6