

Eligibility Policy- Social Housing (NSW)

1. Purpose

This policy outlines the eligibility rules for social housing in NSW.

2. Scope

This policy applies to all HOME in PLACE social housing tenants, applicants, staff and contractors.

3. Policy Statement

As a participant of Housing Pathways, HOME in PLACE complies with the eligibility criteria for social housing as published by NSW Department of Communities and Justice. This policy sets out the residency and income rules relating to eligibility.

Eligibility

To be eligible for social housing, applicants must generally meet the following requirements:

- Be a citizen or have permanent residency in Australia
- Be a resident in NSW South Wales (NSW)
- Establish their identity
- Have a household income within the income eligibility limits for social housing
- Not own any assets or property which could reasonably be expected to resolve their housing need
- Meet the income eligibility for social housing
- Be able to sustain a successful tenancy, with or without support
- If applicable, make repayments of any former debts to a social housing provider
- Be at least 18 years of age

General Housing

The same eligibility criteria apply for all applicants under Housing Pathways. Applicants are assessed using the DCJ Eligibility for social housing assessment criteria that can be found at

[Social Housing Eligibility and Allocations Policy Supplement](#)

Supported Housing

HOME in PLACE works with many support partners who may nominate potential tenants who are linked with support. Nominated applicants may be eligible for Housing Pathways and have an active application on the NSW Housing Register. Additional eligibility criteria may also apply for specific housing programs.

Eligibility of former tenants

A former tenant is someone who lived in a property provided by HOME in PLACE, another community housing provider or the Department of Communities and Justice (formerly FACS) and has since vacated the property. Former tenants can apply to be on the NSW Housing Register.

To be approved, former tenants must meet the current eligibility criteria for Housing Pathways. If the person was a former HOME in PLACE tenant their application for housing assistance will be sent to HOME in PLACE for assessment. HOME in PLACE will review an applicant's tenancy history to determine any conditions that the applicant needs to meet before an offer of housing assistance is made. Former tenants can also expect HOME in PLACE to:

- Explain any conditions that they need to meet
- Explain what we need to assess their application
- Explain the types of assistance available
- Explain why if they aren't eligible
- Provide information about their right to appeal
- Comply with laws and relevant policies relating to payment of debts and eligibility of former tenants.

If a former tenant owes a debt of \$500 or less, HOME in PLACE may list the applicant on the NSW Housing Register if there are no other conditions they need to meet and the debt is being repaid. If the debt is more than \$500, HOME in PLACE will suspend the application for 6 months, unless the applicant repays the debt in full. HOME in PLACE will not offer the applicant housing while the application is suspended, at the expiry of the 6 months, HOME in PLACE will review the applicant's payment history. If regular payments of the debt have not been made, HOME in PLACE will not make an offer of housing. The applicant will also be required to provide evidence that they have paid rent consistently to a landlord since leaving our property.

Applicants are expected to repay any debt in full or make regular payments to reduce the debt before they are offered housing. If an applicant does not make regular payments, their name will be removed from the NSW Housing Register.

Where a former tenant had their tenancy terminated because of any of the following reasons, any new application for housing assistance will be considered on a case-by-case basis:

- They caused, or allowed someone else to intentionally or through neglect, serious damage to a property
- They caused, or allowed someone else to cause, injury to the landlord, someone acting on the landlord's behalf or someone on adjoining premises

If approved for housing assistance, HOME in PLACE may include additional conditions on any lease.

Tenancy reinstatement

Former tenants who are approved for tenancy reinstatement will have their application prioritised when they re-apply for housing.

To be eligible for tenancy reinstatement the former tenant must be able to prove the following:

- They meet the eligibility criteria for housing assistance
- They vacated their property due to any of the following reasons
- They were under duress
- They had to move into a residential care facility
- They were incarcerated
- They, or a household member or a family member required care
- They made an application for tenancy reinstatement, to their former housing provider, within six (6) months of vacating their property (except for incarceration of one (1) year or less where the former tenant can apply within six (6) months of their release from custody)

When considering applications for tenancy reinstatement, HOME in PLACE will consider the following:

- If the tenant vacated without giving notice, was this reasonable in the circumstances?
- Had the tenant previously contacted their housing provider about their situation?
- Did the tenant consider options other than vacating?
- Did the housing provider ask the tenant to relinquish their tenancy because they were going into a residential care program or into custody (prison)?
- Could the decision to vacate have been delayed?
- Was it reasonable to vacate under the circumstances?

Former tenants will need to provide documented evidence to show their need to vacate the property. The type of evidence required will vary depending on the reasons for vacating the property, for example, if the tenant vacated because of being at risk they would need to supply documents as required in the High Priority – At Risk category for eligibility.

Private Rental Assistance (PRA)

HOME in PLACE is responsible for assessing eligibility for, and facilitating access to, PRA products. HOME in PLACE will administer these products as per the FACS Private Rental Assistance Policy and Private Rental Assistance Policy Supplement.

Decision regarding PRA products will be made by the Executive Manager Housing Pathways, the Specialists Area Coordinator PRA & TA or delegate.

Review of decisions

If a tenant or applicant is dissatisfied with a decision about their Application for Housing Assistance, they should first discuss this with a Housing Access Officer at HOME in PLACE. If the tenant or applicant is still dissatisfied, they have the right to lodge an appeal for a formal review of the decision. Appeal Request form are available on the HOME in PLACE website or by contacting a HOME in PLACE branch.

4. Responsibilities

All HOME in PLACE workers have an obligation to:

- familiarise themselves with and ensure they have a clear understanding of HOME in PLACE policies and procedures,
- observe and implement such policies, and associated procedures in delivering services to HOME in PLACE clients,
- inform HOME in PLACE's clients of the impact of this policy on them and assist them to understand their rights and obligations, as required,
- identify issues that require amendment to this policy document and complete the relevant documentation to propose any amendments, and
- report breaches of HOME in PLACE's policies or procedures.

The relevant Group Executive Manager is ultimately responsible to:

- ensure all stakeholders within their area of responsibility are informed about HOME in PLACE Policies and Procedures,
- ensure appropriate processes and controls are implemented to enable the correct application of and adherence to relevant policies and procedures, and
- ensure appropriate processes and controls are implemented to enable breaches of approved HOME in PLACE's Policy and Procedures to be reported and managed.

5. Implementation and Review

This policy is listed on HOME in PLACE's Controlled Documents Register and is a controlled document requiring approval of any changes. It may not be amended or shared outside HOME in PLACE without approval. The policy is reviewed regularly and published on HOME in PLACE's SharePoint intranet once approved. Employees receive communications and training on new and reviewed policies and procedures.

HOME in PLACE complies with relevant contractual compliance obligations and jurisdictional laws and regulations when implementing this policy. Confirmation of internal compliance with this policy is undertaken regularly.

It is the responsibility of HOME in PLACE Group Executive Services to maintain and update the HOME in PLACE's Master Policy Document, Policy Directory and the Policy Review Register, administer the review and approval process and inform and distribute new and amended policies and procedures once approved (refer PROC-011 Policy and Procedure Development Approval).

HOME in PLACE Workers should refer to SharePoint for the latest version which takes precedent over any uncontrolled version. If this document is printed, downloaded, or saved elsewhere from this site it becomes an uncontrolled version.

For further information contact the Responsible Officer listed under Document Information.

6. Resources and related documents

Related documents

- Allocations Policy
- Absence from Property Policy
- Policies – Housing Pathways
- FACS Policy – Private Rental Assistance
- FACS Policy Supplement Private Rental Assistance

Related legislation/standards

- Residential Tenancies Act 2010 (NSW)
- Residential Tenancies Regulations 2019 (NSW)

7. Definitions

Please refer to HOME in PLACE Glossary of Definitions for Policies and Procedures. Terms and definitions identified below are specific to this policy and are critical to its effectiveness:

Term	Definition
Appeals	A Community housing appeal is defined as ‘any expression of dissatisfaction with a decision made by a social housing provider to provide or not provide a service (such as housing, transfer or priority on the housing register) or, a decision relating to a tenant or service user’s dissatisfaction of a decision made by the organisation.’ An application for a decision to be reversed or overturned. Includes but is not limited to: • Allocation decisions; • Level of rent or rent subsidy; • Eligibility for a housing transfer; • Permission to undertake modifications; • Permission to keep pets; • Calculation of water charges;
Compass	Compass Housing Services Co. Ltd. Trading as HOME in PLACE and includes its related body corporate (as defined by section 9 of the <i>Corporations Act 2001</i> (Cth)) and as a charity with the Australian Charities and Not-for-profit Commission (ACNC) .
Complainant	Person with a Complaint ongoing with HOME in PLACE.
Complaints	An expression of dissatisfaction with an aspect of the services provided by [Organisation], where the complainant is unhappy with the standard or type of service. Types of Complaint include: <ul style="list-style-type: none"> • Where HOME in PLACE have failed to provide or there has been a delay or problem in providing a service; • Where HOME in PLACE have failed to follow or have been unfair or inconsistent in applying our policies or procedures. • Where HOME in PLACE have failed to keep Tenants informed, through lack of or insufficient information • Where there has been inappropriate behaviour or attitude from a HOME in PLACE Employee or contractor.
Director	Has the same meaning as defined in the Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary in Australia and as defined in the Companies Act 1992 Part 1 Section 2 Interpretation .

Term	Definition
Employee	A person engaged under an employment agreement or award by any company in the HOME in PLACE Group.
Executive Manager	Many positions within HOME in PLACE include the title “Executive Manager”. Regardless of whether an Executive Manager heads a Business Unit, the delegated authority of each Executive Manager depends on the functions and reporting relationship of the Business Unit for which the Executive Manager is responsible. Executive Managers should refer to the document HOME in PLACE Organisational Chart in Terms of Levels of Delegated Authority for confirmation of the band of authority they hold.
HOME in PLACE	Compass Housing Services Co. Ltd. Trading as HOME in PLACE and includes its related body corporate (as defined by section 9 of the <i>Corporations Act 2001</i> (Cth)). This includes Compass Housing Services Co (Queensland) Ltd Trading as HOME in PLACE and Compass Housing Services Co (Victoria) Ltd Trading as HOME in PLACE both of which are a wholly owned subsidiary of Compass registered in Australia.
HOME in PLACE (New Zealand)	HOME IN PLACE (NEW ZEALAND) LIMITED (formerly Compass Housing Services (NZ) Co Ltd) is registered in New Zealand under the Companies Act and as a charity registered with Charities NZ under the Charities Act
HOME in PLACE Group	The corporate structure that includes HOME in PLACE (as the Parent Company) and the boards of Subsidiary Companies, Governance Committees and advisory groups as created from time to time.
Independent contractor	means a party engaged directly by HOME in PLACE pursuant to a contract for services. In the context of workforce engagements, this includes sole traders, companies, or partnerships with whom HOME in PLACE enters into an agreement for the provision of specified individuals to supply specific skills, services, or consultancy arrangements. It does not include individuals engaged through labour hire agencies. Independent contractors are not employees of HOME in PLACE.
Officer	Has the same meaning as defined in the Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary in Australia and as defined in the Companies Act 1992 Part 1 Section 2 Interpretation in New Zealand
Parent Board	The current directors of HOME in PLACE.
Parent Company	HOME in PLACE
Stakeholder	person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity, may also be called ‘interested party’.
Subsidiary Boards	The appointed board of directors of a Subsidiary Company.
Subsidiary Company	A company in which HOME in PLACE owns all or at least a majority of the shares.
User	any person or entity that use HOME in PLACE Information or ICT Assets.
Worker (HOME in PLACE)	has the same meaning as defined in the NSW Work Health and Safety Act 2011 No 10 Subdivision 2 Part 7 Meaning of ‘worker’ (1) A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as: <ul style="list-style-type: none"> • an employee, or • an independent contractor or subcontractor, or • an employee of a contractor or subcontractor, or

Term	Definition
	<ul style="list-style-type: none"> • an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or • an outworker, or • an apprentice or trainee, or • a student gaining work experience, or • a volunteer, or • a person of a prescribed class.
Worker (HOME in PLACE QLD)	is 'a person who works under a contract and, in relation to the work, is an employee for the purpose of assessment for PAYG withholding under the Taxation Administration Act 1953 (Cwlth), schedule 1, part 2-5'. This applies to a person for whom PAYG tax instalments are required or would be required to be withheld by their employer.
Worker (HOME in PLACE VIC)	<p>A worker is defined as an individual:</p> <ul style="list-style-type: none"> • who <ul style="list-style-type: none"> – performs work for an employer or – agrees with an employer to perform work • at the employer's direction, instruction or request, whether under a contract of employment (whether express, implied, oral or in writing) or otherwise or • who is deemed to be a worker by the legislation.

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