

Affordable Housing (NSW) Policy

1. Purpose

This policy outlines how HOME in PLACE will manage affordable housing to meet contractual and legal obligations and to identify and describe variations to tenancy management practices for affordable housing.

2. Scope

This policy applies to affordable housing properties in the HOME in PLACE portfolio, HOME in PLACE staff and contractors, affordable housing applicants and tenants.

3. Policy Statement

Affordable housing is designed to assist working people on very low to moderate incomes, who earn at least some of their income from regular paid employment, to access rental housing. Affordable housing rents are set at below market rent so that households can afford their rent and are able to meet other basic living costs.

The objectives of affordable housing are:

- to contribute to the maintenance and expansion of affordable rental housing for low and moderate income households;
- to provide affordable rental housing to low and moderate income households who are paying a high proportion of their income in rent;
- to provide access to affordable rental housing for households who are unable to afford home ownership;
- to provide equitable and non-discriminatory access to affordable rental housing for eligible households;
- to offer long-term secure rental tenure to tenants who meet their tenancy obligations and eligibility criteria;
- to provide cost effective and efficient housing provision and management while ensuring quality client service;
- to assist in maintaining a diverse social mix in areas of affordable housing;
- to assist urban intensification and efficient housing supply through construction of rental housing on vacant and under-utilised land and buildings;
- to provide rental housing which reflects the urban character of areas where affordable housing is located, offers diversity in housing style and which reflects tenant needs;
- to achieve excellence in urban housing design, including the incorporation of principles of ecologically sustainable development;
- to ensure that the Affordable Housing Program is financially self-sufficient and managed in accordance with good commercial practice which ensures the achievement of affordable housing objectives.

HOME in PLACE manages a number of affordable housing properties, each program has its own eligibility criteria and rent setting policies. HOME in PLACE manages its affordable portfolio in line with the requirements of the NSW Affordable Housing Ministerial Guidelines, the National Rental Affordability Scheme (NRAS) Guidelines and HOME in PLACE Tenancy Management Policies

Affordable Housing Criteria

Program	Criteria
National Rental Affordability Scheme (NRAS)	<p>NRAS properties target low to moderate income earners</p> <p>Guidelines are set by the Department of Social Services</p> <p>Specific income limits apply, these are updated annually and set out in the NRAS Policy Guidelines</p> <p>Ongoing eligibility assessments are conducted annually</p> <p>Application, including supporting documentation, is required</p> <p>A copy of the guidelines can be found on the Commonwealth Department of Social Services website at DSS</p> <p>Additional information can be found on the HOME in PLACE Housing Services website at CHS</p>
Building Better Cities (BBC)	<p>BBC housing eligibility rules are set by the HOME in PLACE Board of Directors</p> <p>Applicants must be Australian citizens or have permanent residency</p> <p>Have a connection with the area that you are applying for housing in</p> <p>Not own property or assets that could realistically be used to secure affordable housing</p> <p>Have no outstanding debt with HOME in PLACE or any other housing provider</p> <p>Household income limits apply</p> <p>70% of income must be work related income</p> <p>Rents are charged at a percentage of gross weekly income and 100% of any Commonwealth Rent Assistance (CRA) if eligible</p> <p>Application, including supporting documentation, is required</p> <p>Further information available on the HOME in PLACE Housing Services website at CHS</p>
Centre for Affordable Housing	<p>This housing is managed in accordance with the Centre for Affordable Housing Guidelines</p> <p>Income eligibility is determined by set income bands for low, medium and moderate income earning households</p> <p>Income bands are adjusted annually</p> <p>Rents are typically set at a flat rate of 75% of market rent</p> <p>Income can come from any sources and households can earn up to 25% above their relevant income band and remain eligible</p> <p>There is no minimum income threshold</p> <p>Applicants must be Australian citizens or have permanent residency</p> <p>Application, and supporting documentation is required</p> <p>Further information can be found on the Department of Communities & Justice website or by going to Affordable Housing</p> <p>Further information on our Affordable programs can be found on the HOME in PLACE Housing Services website at CHS</p>
Social Affordable Housing Fund (SAHF)	<p>As per the NSW Affordable Housing Ministerial Guidelines</p> <p>A copy of the Ministerial Guidelines can be downloaded by going to Ministerial Guidelines</p>

Eligibility

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

Affordable housing applicants must

- establish their identity
- be resident in New South Wales (NSW)
- be a citizen or have permanent residency in Australia
- be able to sustain a successful tenancy, without support or with appropriate support in place
- if applicable, make repayments of any former debts to a social housing provider
- in general, be 18 years or older

Differences between Affordable & Social Housing

The goals of affordable housing are similar to social housing but there are some key differences including:

- Affordable housing is open to a broader range of household incomes than social housing, so households can earn higher level of income and still be eligible;
- Applications for affordable housing properties are made to and assessed by HOME in PLACE. Applications for affordable housing cannot be made through Housing Pathways;
- Households do not have to be eligible for social housing to apply for affordable housing, though social housing eligible households may also be eligible for affordable housing;
- Allocations policy for affordable housing is different to social housing and may prioritise different target groups;
- From time to time HOME in PLACE may invite social housing eligible households on the NSW Housing Register to apply for affordable housing properties. However, this does not constitute an offer of social housing and the household can refuse this invitation;
- If a household on the NSW Housing Register accepts a tenancy in an affordable housing property, they will be regarded as suitably housed and removed from the Register; and
- Rents for affordable housing are calculated differently to social housing and there may be different tenancy management arrangements.

Affordable housing vacancies

Vacant affordable housing properties are advertised in a number of ways:

- Advertised on realestate.com
- Listed on the HOME in PLACE website at [CHS](#)

HOME in PLACE does not retain a waitlist for affordable properties, when a person is interested in one of our properties, they must attend the open house, at the advertised time or virtual inspection and obtain an application form. Completed forms then need to be submitted for consideration, HOME in PLACE will not progress any application that has not been completed in full, including providing the additional documents required.

Allocations

Affordable housing properties will be allocated to a mix of very low, low and moderate income households. When considering allocations, HOME in PLACE will balance the needs of households in rental stress with the requirements to generate sufficient income to meet operating costs, and include the

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following criteria for consideration:

- applicants must meet income eligibility limits for the program;
- applicants must require medium to long-term affordable rental housing;
- applicants must not own property or assets which could realistically be used to secure affordable, appropriate housing;
- applicants must be permanent residents or citizens of Australia;
- there is no conflict of interest as a result of a close association or employment with HOME in PLACE;
- the housing need(s) of the applicant, that is, the degree to which their current housing is unaffordable or inappropriate;
- ensuring that high-needs groups are represented in allocations;
- ensuring an appropriate income mix;
- the household size is appropriate to the accommodation available;
- specific accommodation needs related to the type of dwelling, eg, the need for ground floor accommodation;
- specific accommodation needs related to locational factors, eg, the need for close proximity to local services and facilities;
- Judgements as to the compatibility mix with each development, while ensuring diversity; and the need to live in the area
- There is no outstanding debt owed to HOME in PLACE Housing Services.

Tenure & lease agreements

Length of leases

Tenants are expected to meet the requirements of a standard residential tenancy agreement. The term of the residential tenancy agreement will be twelve (12) months. Tenants who met their tenancy obligations and who remain eligible for the program will be invited to enter into new agreements for a further twelve (12) months.

Eligibility reviews will be conducted prior to the expiration of the lease agreement. Tenants must supply their current income details as part of the eligibility review.

Ongoing eligibility

To remain in affordable housing, households must continue to meet the eligibility criteria, this includes the general eligibility criteria, demonstrating an ongoing housing need, that is, tenants or household members do not have assets that could resolve their own housing requirements. The exception is income, where existing tenants are permitted to earn up to **25%** above the maximum eligibility income for moderate income before they become ineligible.

Ongoing eligibility reviews will be conducted prior to the expiration of the residential tenancy agreement. Tenant must provide up to date income and other information when requested for the review. When a tenant remains eligible, they will be invited to enter into new residential tenancy agreement.

If the eligibility review identifies the tenant is no longer eligible for affordable housing HOME in PLACE will work with the tenant to identify alternate housing options. A tenant may be given up to twelve (12)

months to move to alternative accommodation, depending on their circumstances.

HOME in PLACE may also use the provisions of the *Residential Tenancies Act 2010* to terminate the tenancy, specifically, Section 143.

Termination of leases

HOME in PLACE may seek to end a tenancy if there is a breach of the residential tenancy agreement or where the tenant is no longer eligible for affordable housing. Tenants will be notified of any action HOME in PLACE intends to take.

Transfer & succession

Tenants are not able to transfer to another affordable property, however, if there is a vacancy that better suits the needs of the tenant, they can apply for the property through the general application process.

If the tenant leaves the property, household members cannot apply for succession of tenancy.

Household members can apply, and be assessed, for affordable housing.

Changes in Income

Where a tenant's income increases above the income eligibility limit, the following shall apply:

- no action will be taken where incomes are up to 10% above income limits;
- Where a tenant's income is more than 10% above income limits, there will be a 12 month review period. During this review period, an assessment will be made of the amount of the increase in income and the permanence or otherwise of the income increase; and
- If a tenant is found to be ineligible following the review period, they will be advised of the requirement to relocate. Relocation shall be at the tenant's own expense.
- Where a tenant's income falls below the income eligibility limit, the following policy shall apply:
- No action will be taken where the income fall is not greater than 10% of the minimum threshold;
- There will be a 12 month review period, during which time the circumstances of the tenant will be assessed. This assessment shall include analysing the amount of the decrease in income and the permanence of the income change;
- If the tenant's income has not increased to the minimum income limit during the review period, and is unlikely to do so in the immediate future, HOME in PLACE will facilitate the lodgement of an Application for Housing Assistance (AHA) and assessment for priority housing if eligible;
- The review period will commence from the time of income change, causing the review period to commence, until suitable employment occurs. Suitable employment occurs where a tenant works 100 hours or more in a 13 week period or 400 hours in a 12 month period after the commencement of review date, whichever occurs first.

Changes to the household

Tenants must notify HOME in PLACE of any changes to the household. An eligibility assessment will be completed if a person leaves or is added to the household to determine if the household remains eligible for the program.

Rent

Rent setting

Rent is set between 74.9% to 80% of the current market rent value of the property depending on the affordable housing program requirements. Rent charged in affordable housing properties in general will not exceed 30% of the total assessable household income for very low to low income earners and will not exceed 40% of the total assessable housing hold income for moderate income earners.

Rental bonds

Tenants in affordable housing programs are required to pay a rental bond of four (4) weeks market rent.

Rent payments

Rent is charged on a weekly basis and can be paid weekly or fortnightly, tenants must remain in advance with their rent payments.

Rent arrears

A tenant who falls into arrears with their rent payments will be given the opportunity to set up a repayment place to bring their rent account up to date. HOME in PLACE reserves the right to take action in the NSW Civil & Administrative Tribunal (NCAT) where a payment plan is not adhered to, or when the account is more than 14 days in arrears.

Review of Market Rent

Market rents will be reviewed and adjusted annually. Tenants will be notified of any adjustments in accordance with the *Residential Tenancies Act 2010*.

Review of Decisions

Some decisions made by HOME in PLACE may be subject to a review. If a tenant or applicant does not agree with a decision HOME in PLACE has made, they should first discuss this with a Tenancy Relations Officer. 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 forms 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

- Affordable Housing application
- NRAS Application
- Privacy Policy

Related legislation/standards

- Residential Tenancies Act 2010 (NSW)
- Residential Tenancies Regulations (NSW)
- Community Housing Providers (Adoption of National Law) Act 2012 (NSW)
- NSW Affordable Housing Ministerial Guidelines
- NRAS Policy Guidelines and Rules

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
Affordable housing	Housing that is appropriate for the needs of a range of very low to moderate income households.
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 .
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.

Term	Definition
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.
Moderate income	Household earns between 80% and 120% of the relevant median household income for Sydney or rest of NSW
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
Relevant median income	The median household income for the Sydney Statistical Division or the Balance of NSW Major Statistical Region (depending on where a household is located) as reported by the Australian Bureau of Statistics
Social housing eligible	Refers to household who have been assessed as eligible for social housing in NSW
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.
Very low income	Household earns less than 50% of the relevant median household income for Sydney or rest of NSW
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 • 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.

Term	Definition
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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