

# Hardship Policy

## 1. Purpose

This Policy describes how HOME in PLACE will support tenancies at risk due to financial hardship.

## 2. Scope

This is a group policy and applies to HOME in PLACE and the Group of entities it controls (HOME in PLACE Group). References to HOME in PLACE in this policy refer to all HOME in PLACE Group companies unless specified otherwise.

The policy applies to tenants in homes owned and managed by HOME in PLACE under social and affordable housing programs.

The policy may not apply to tenants where HOME in PLACE manage properties on behalf of private landlords under a 'fee for service' agreement if the property owner has their own hardship policy. Tenants in those properties may apply for hardship under the property owner's hardship policy.

### Definition

Financial hardship is when a person is willing to, but is having difficulty paying their rent, utilities, other debts, and reasonable living expenses because of factors beyond their control such as:

- loss of ongoing employment
- significant medical or emergency expenses
- have been financially affected by the ongoing COVID-19 crisis

Reasonable living expenses includes, but is not limited to rent, groceries, electricity, minimum loan repayments, school fees, medical costs etc.

## 3. Policy Statement

HOME in PLACE implements a consistent approach to support tenants to find affordable housing for their circumstances and sustain their tenancies. HOME in PLACE assist tenants experiencing financial stress through a range of responses,

- Assisting to manage rent and non-rent arrears through flexible payment arrangements
- providing training such as our 'Rent It Keep It' program to assist them manage their finances and linking them to external agencies that offer referral services or link them with support programs including those that provide financial assistance, financial counselling and / or budgeting support.
- Communication of arrears is clear and receive early advice
- Advice on agreed rental arrears repayment
- Compliance with regulatory and legal requirements

- Eviction is a last resort when other avenues have been unsuccessful

When advised, clients are unable to meet their rent or non-rent payments due to financial hardship. Tenants may apply for relief due to financial hardship by completing and submitting an Application for Hardship form and providing supporting documentation to substantiate the hardship.

## Rent Arrears

Homes managed by HOME in PLACE Housing under social and affordable housing programs rental amounts are charged at lower than private market rents based on government and community housing rent policies or affordable housing rent policies. The aim of these policies is to charge affordable rents for tenants based on their income and family circumstances and tenants are expected to comply with the evidence requirements and notify HOME in PLACE Housing of any changes of circumstances that affect their income and / or rent calculations.

Where a tenant is in rent arrears,

- HOME in PLACE will request the tenant enter a payment plan preferably a Centre Pay Deduction (CPD)
- No HOME in PLACE Housing managed tenancies will be terminated and evicted if the Tenant agrees to and maintains these payment arrangements.
- Where the Tenant does not agree or fails to maintain these arrangements actions will be taken in accordance with HOME in PLACE Arrears and Debt Management Policy except where a tenant applies for financial hardship under this policy.

To confirm a tenant is eligible for financial hardship HOME in PLACE Housing may request reasonable evidence such as:

- payslips or bank statements showing reduced income
- documentation from an employer showing job termination/stand-down or reduced hours
- evidence of a business closure or business records showing loss of takings
- Centrelink confirmation of eligibility for financial assistance
- medical certificates

HOME in PLACE Housing may consider assistance where tenants meet eligibility for financial hardship and will depend on a tenant's individual circumstances and may include:

- reducing rent now and repaying this later in addition to usual rent payments,
- reviewing and reducing the repayment amount of existing arrears payment plans, or
- a combination of these.

## Non rent Arrears

### *Water charges*

HOME in PLACE will assist tenants experiencing financial hardship in accordance with water charging guidelines for community housing providers and where a completed application for financial hardship has been lodged and approved by a delegated officer.

HOME in PLACE Housing will assist a tenant who are unable to meet their water charges through:

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- referral to a community welfare organisation that distribute water and energy vouchers. For instance:
- provide information about government programs and products as and when they are available that can assist customers to lower their utility bills.
- encourage tenants to contact their service providers for information about State and Federal Governments fund rebates and allowances that can help customers to pay their utilities bills.
- arrange flexible payment plans where a tenant is in arrears for their water charges.
- in some limited individual circumstances we may waiver or reduce water charges.

### *Bond Payments*

HOME in PLACE will assist tenants experiencing financial hardship unable to pay bond payments by:

- agreeing to flexible payment plans.
- providing information about government programs and products as and when they are available that can assist customers pay their bond, such as government Bond Loans for eligible applicants.
- referral to a community welfare organisation that provides financial support.

### *Maintenance and other charges*

HOME in PLACE will assist tenants experiencing financial hardship who are unable to pay maintenance and other charges by:

- agreeing to flexible payment plans.
- referral to a community welfare organisation that provides financial support.

### *Other assistance*

HOME in PLACE assist tenants in financial hardship through a range of programs including our Community Food Store - The Shack Shop on the Central Coast, our Tenant Incentive Program, Rent It Keep It, Tenant Engagement Programs and will refer tenants experiencing financial hardship to other charitable organisations may be able to provide other forms of assistance, such as food vouchers or food banks.

## **Appealing a Hardship Application Decision**

Tenants that do not agree with a decision that HOME in PLACE has made under this Hardship Policy may lodge an appeal in accordance with HOME in PLACE Internal Review and Appeals Policy.

## **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*

- Internal Review and Appeals Policy (POL-001)
- Rental Bond Policy (POL-025-25)
- Affordable Housing Rent Policy (POL-025-26)
- Social Housing Rent Policy (POL-025-27)
- Arrears and Debt Management Policy (POL-025-28)
- Tenant Charges Policy (POL-025-29)

- Domestic and Family Violence Policy (POL-025-35)
- Water Usage Charging Policy (NSW) (POL-026)

## Related legislation/standards

- Residential Tenancies Act 2010 (NSW)
- Residential Tenancies Regulation 2010 (NSW)
- Consumer, Trader and Tenancy Tribunal Act 2001 (NSW)
- Consumer, Trader and Tenancy Tribunal Regulation 2002 (NSW)
- Residential Tenancies and Rooming Accommodation Act 2008 (QLD)
- Residential Tenancies and Rooming Accommodation Regulation 2009 (QLD)
- The Residential Tenancies Act 1997 (VIC)
- Housing Act 1983 (VIC)

## 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
<b>Appeals</b>	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;
<b>Compass</b>	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 <a href="#">Australian Charities and Not-for-profit Commission (ACNC)</a> .
<b>Complainant</b>	Person with a Complaint ongoing with HOME in PLACE.
<b>Complaints</b>	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"> <li>• Where HOME in PLACE have failed to provide or there has been a delay or problem in providing a service;</li> <li>• Where HOME in PLACE have failed to follow or have been unfair or inconsistent in applying our policies or procedures.</li> <li>• Where HOME in PLACE have failed to keep Tenants informed, through lack of or insufficient information</li> <li>• Where there has been inappropriate behaviour or attitude from a HOME in PLACE Employee or contractor.</li> </ul>
<b>Director</b>	Has the same meaning as defined in the <a href="#">Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary</a> in Australia and as defined in the <a href="#">Companies Act 1992 Part 1 Section 2 Interpretation</a> .

Term	Definition
<b>Employee</b>	A person engaged under an employment agreement or award by any company in the HOME in PLACE Group.
<b>Executive Manager</b>	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.
<b>HOME in PLACE</b>	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.
<b>HOME in PLACE (New Zealand)</b>	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
<b>HOME in PLACE Group</b>	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.
<b>Independent contractor</b>	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.
<b>Officer</b>	Has the same meaning as defined in the <a href="#">Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary</a> in Australia and as defined in the <a href="#">Companies Act 1992 Part 1 Section 2 Interpretation</a> in New Zealand
<b>Parent Board</b>	The current directors of HOME in PLACE.
<b>Parent Company</b>	HOME in PLACE
<b>Stakeholder</b>	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’.
<b>Subsidiary Boards</b>	The appointed board of directors of a Subsidiary Company.
<b>Subsidiary Company</b>	A company in which HOME in PLACE owns all or at least a majority of the shares.
<b>User</b>	any person or entity that use HOME in PLACE Information or ICT Assets.
<b>Worker (HOME in PLACE)</b>	has the same meaning as defined in the <a href="#">NSW Work Health and Safety Act 2011 No 10 Subdivision 2 Part 7 Meaning of ‘worker’</a> (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"> <li>• an employee, or</li> <li>• an independent contractor or subcontractor, or</li> <li>• an employee of a contractor or subcontractor, or</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>• an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or</li> <li>• an outworker, or</li> <li>• an apprentice or trainee, or</li> <li>• a student gaining work experience, or</li> <li>• a volunteer, or</li> <li>• a person of a prescribed class.</li> </ul>
<b>Worker (HOME in PLACE QLD)</b>	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.
<b>Worker (HOME in PLACE VIC)</b>	<p>A worker is defined as an individual:</p> <ul style="list-style-type: none"> <li>• who <ul style="list-style-type: none"> <li>— performs work for an employer or</li> <li>— agrees with an employer to perform work</li> </ul> </li> <li>• at the employer's direction, instruction or request, whether under a contract of employment (whether express, implied, oral or in writing) or otherwise or</li> <li>• who is deemed to be a worker by the legislation.</li> </ul>

*End of document.*