



**SEARMS COMMUNITY HOUSING ABORIGINAL
CORPORATION**

HOUSING POLICY

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INTRODUCTION

SEARMS has had ownership (has title to) its own housing portfolio since 2018. Located in Batemans Bay these were previously managed under AHO Housing policy. This SEARMS Housing Policy clarifies SEARMS application of it's own housing policy and where it intersects with AHO Housing policies.

SEARMS properties are privately owned and receive no government assistance for the housing portfolio unless SEARMS seek grants/funding for specific purposes such as redevelopment/development.

Rent revenue received from tenants is used to pay for the rates, insurances, landlord obligations such as smoke alarm testing, general repairs and maintenance and overheads (wages, office rent and utilities).

The main aim of this policy is to ensure SEARMS:

- (1) Embeds a strong policy foundation and implements good practice measures to ensure fairness and transparency of the management of housing services for applicants and its tenants;
- (2) Delivers culturally appropriate and cost-effective housing and tenancy management;
- (3) Maintains its housing stock to a high standard through good asset management practices and financial planning for future generations;
- (4) Maintains and meets NRSCH compliance requirements



SEARMS Housing Policy

1. Purpose

The purpose of this policy is to provide information to eligible applicants and eligible tenants on SEARMS housing.

2. Policy

SEARMS is committed to supporting its tenants by providing culturally appropriate affordable housing for our Aboriginal community. SEARMS believes that housing security is important to supporting education, employment and health and wellbeing. It is equally important to ensure sustainable housing meeting the community needs via appropriate rent setting and dwelling allocation policies.

3. Eligibility

For applicants to be eligible for SEARMS housing in Batemans Bay they must provide evidence of the following:

- You are an Aboriginal person who has permanently resided in Batemans Bay or surrounding areas (postcode 2536 excluding Mogo) for a minimum of 12 months
- Have a 'live' NSW Housing Pathways Application on the system and meet the criteria there in (including income and asset requirements)
- Have a low to moderate household income that can service the rent charged

SEARMS does not have a waiting list. Upcoming or vacant properties will be advertised and all interested parties will be required to be registered on the NSE Housing Pathways system.

SEARMS staff are able to support applicants to lodge and maintain their NSW Housing Pathways Application.

SEARMS will review the NSW Housing Pathways list to identify potential eligible applicants (**as per the specific requirements for SEARMS eligibility**) for a SEARMS property and will contact them directly to assess if the application can proceed to the next stage for a SEARMS house

4. Applications and Allocations

SEARMS conducts a number of checks from Housing Pathways on the Applicants:

1. Meets eligibility criteria for SEARMS housing

2. Checks the household composition (number/ages/gender) to the property size available. NOTE: SEARMS applies the NSW Public Housing standards for appropriate housing¹

All eligible applicants are then put through SEARMS Housing Matrix assessment which determines priority based on predetermined criteria and scoring such as:

- Homelessness
- Supports in area
- Children
- Ability to meet tenant obligations

Where a property was transferred from Budawang Aboriginal Corporation, SEARMS will provide the final short-list and consult with Budawang Aboriginal Corporation and/or Batemans Bay based panel of Walbunja Elders to determine the successful applicant from a shortlist of eligible applicants.

5. Rent Setting - **NEW TENANTS**

SEARMS rent setting is a 25% rebate to market rent for NEWLY advertised vacancies.

Market Rent is sourced from the latest DCJ Rent and Sales data and uses the Median Rent for the size/type dwelling by Postcode.

[Rent and Sales Report - interactive dashboard | Family & Community Services \(nsw.gov.au\)](#)

For example, if the market rent is \$400, SEARMS provides a rebate of \$100 to eligible applicants who will pay \$300 per week.

Bond – SEARMS requires a 2 week Bond for all properties.

Rent – Is paid fortnightly in advance.

Lease Term - Depending on the property, SEARMS may offer a short-term let (crisis), 3 month lease (transitional), 6 month or 12 month leases.

SEARMS Housing Officers will also assist applicants in checking their eligibility for **Commonwealth Rent Assistance (CRA)**. CRA can be up to \$70 per week so it is important to check that applicants are aware of this and claiming as appropriate.

6. Rent Setting - **ONGOING TENANTS**

SEARMS reviews ongoing tenant eligibility and rent rebate eligibility annually.

Tenants and all occupants over 18 years, are required to send in their household income information to assess their eligibility according to the NSW Department of Communities & Justice social housing eligibility policy for **ongoing rental rebates**.

¹ <https://www.facs.nsw.gov.au/housing/policies/social-housing-eligibility-allocations-policy-supplement/chapters/entitlements>

Should tenants not send in all of their household information in the required time, their rebate is automatically cancelled and they will pay **MARKET RENT (see reference in item 5 above)**.

SEARMS will enter the household income information of all occupants over 18 years into the ***AHO Community Housing Rent Calculator***.

As rent payable is assessed on household income, your rebate can be anywhere from 0% to 25% of market rent.

If a household is not entitled to a rental rebate, market rent will be applied. If a tenant is eligible for Commonwealth Rent Assistance (CRA) rent will be assessed at 100% capture of total weekly CRA.

Information about household income is collected from tenants using the SEARMS Rental Rebate Application Form, which ask the tenant to identify members of their household and the gross income for each person over the age of 18years where applicable.

Each tenant is responsible for collecting the income details of household members and providing these details to SEARMS so that their rental rebate can be assessed.

Documents must not be more than one month old on the date they are submitted, with the exception of Tax Returns which must not be more than 12 months old.

Tenants are able to complete a Centrelink Authority form which allows SEARMS to get income details directly from Centrelink. If amounts on Centrelink documentation vary from standards payments, or if there appears to be an error, SEARMS will seek further information from the tenant prior to assessment.

If a tenant's household circumstances and/or income change during the year they are required to inform SEARMS within 14 days and supply the details and supporting documentation.

Tenants will be notified in writing of any changes in their assessed payable rent and such notification will include a copy of their rental rebate assessment.

Where the assessed payable rent result is in an increase in the rent payable by the tenant, SEARMS will ensure that action taken to increase a tenants' rent does not conflict with the relevant provision of the Residential Tenancies Act 2010.

Tenants who fail to supply details of and verification of household income by the due date will no longer be eligible for a rental rebate and will be required to pay Market Rent.

7. Water Usage charges

SEARMS will adhere to the conditions as set out in the Water Usage Charging Ministerial Guidelines for Aboriginal Community Housing Providers and the Residential Tenancies Act 2010 section 139.

Tenants can only be charged water where the account is generated from a recognized water authority and SEARMS is responsible for the payment of the water account.

Other invoice charges may include tenant damage to the property. These will be sent to tenants with the appropriate invoice of payment. As the Residential Tenancies Act 2010.

8. Arrears Management

Rent is required to be paid two weeks in advance. Rent and other charges to be paid on time in accordance with the Residential Tenancy Agreement. Appropriate rent and non-rent payments enable SEARMS to maintain financial viability to continue to deliver quality housing services.

SEARMS will ensure that its rental arrears management practices and procedures are in accordance with the Residential Tenancies Act 2010.

SEARMS recognises that tenants may be faced with financial difficulties during their tenancy. To ensure long term financial viability of SEARMS, it is important that financial and operational measures are put in place to provide early intervention to enable tenants to continue paying rent prior to action being taken at NCAT.

SEARMS will be pro-active in monitoring and managing both rent and non-rent arrears. If a tenant is facing financial difficulty SEARMS will seek to negotiate a repayment arrangement and can assist with the tenant to seek financial counselling or other referrals if required.

SEARMS will take care to maintain confidentiality and protect the privacy of tenants when handling arrears.

9. Property Inspections

Property Inspections are conducted on each property at least twice a year. These inspections enable SEARMS to assess the conditions of the property and to determine if any repairs are required. The inspections are also a valuable way for Housing Officers to assist the tenants with any referrals needed to sustain their tenancy.

The use of inspections also ensures that SEARMS complies with its responsibilities as a landlord under the Residential Tenancies Act 2010 and also its contractual arrangements with AHO and the National Regulatory System for Community Housing (NRSCH).

Tenants who are found to have property care and/or complex issues may be requested to allow access to SEARMS on a more frequent basis this being Quarterly as per the Residential Tenancies Act 2010.

10. Absence from property

In accordance to the Residential Tenancy Agreement, tenants are required to occupy the premises at all times. SEARMS recognizes and understands that tenants may need to be away from their property for cultural, personal and professional reasons.

SEARMS will consider the following reasons for absences up to three months:

- Caring for sick or frail family members;
- Sorry business;
- Hospitalization, institutional care, nursing home care or rehabilitation;
- Escaping domestic violence, harassment or threats of violence;

- Holidays;
- Employment, education and training.
- Incarceration

To ensure tenancies are not compromised, the tenant who is responsible for meeting the tenancy obligations should notify SEARMS of any absences that will be more than six weeks to make necessary arrangements.

If a tenant has stayed away from their property for more than six weeks without approval, the Housing Officer will make reasonable efforts to contact the tenant to clarify the situation. If the tenant cannot be contacted after four weeks, the Housing Officer will start the NCAT process to terminate the tenancy.

Where absences of up to three months are required, provided there is a valid reason for going away and confirmed arrangements have been made for payment of rent, water and care of the property, these will be considered on a case by case basis.

If a tenant is incarcerated, fleeing DV or other extenuating circumstances they can apply to retain their tenancy for up to three months.

SEARMS CEO will consider each case on their merits and may approve absences longer than six weeks if they are satisfied that:

- The rent will be paid, or has been paid in advance for the duration of the absences
- The water usage charges will be paid or has been paid in advance
- There is a good reason for the tenant to be away
- All other conditions associated to the Residential Tenancy Agreement are met
- A return date is provided
- A person who can act on the tenant's behalf is appointed and these contact details are provided

In the instance of repeated absences relating to holidays, incarceration and employment/training SEARMS will not be approved. Where absences of more than twelve (12) months in total over a five-year period SEARMS will not approve the request.

11. Recognition of Tenancy

SEARMS may agree to recognise a Registered Occupant of a SEARMS property to create a new lease if that Occupant has been on the official Occupant Summary for the past 2 years, is deemed a satisfactory tenant and meets the eligibility criteria for SEARMS Housing.

Recognition can only be obtained if the main leaseholder passes away; or is put in permanent nursing care or due to extended incarceration of the tenant.

12. Ending a Tenancy

SEARMS will manage the ending of tenancies in a way that accords with the law and minimises the impact on SEARMS and its tenants.

When a tenant decides to leave they should notify SEARMS within the required timeframes of the Residential Tenancies Act 2010.

Where SEARMS requires a tenant to leave because the Tenancy Agreement has been breached, or it is the end of a fixed term, notice will be given as set out in the Residential Tenancies Act 2010

A pre-vacate inspection will be carried out by SEARMS staff and all outstanding monies owed will be invoiced to the tenant. Should any refund to the Tenant be required, SEARMS will notify the tenant and provide them with a Refund Request form to be actioned. Tenants are to ensure upon vacating the property that they provide SEARMS with updated contact information to ensure that they can be reached for SEARMS to provide any outstanding information.

In inventory (and photos if possible) will be taken of all abandoned goods. Perishable items and worthless goods will be disposed of. Procedure for disposal or storage of other items will be as per the Uncollected Goods Act 1995. Notices will be issued accordingly.

13. Responsibility

Housing officer	To maintain record keeping and effectively manage applications and tenancies in accordance with SEARMS Policy
Service Delivery Manager	Monitor the effectiveness of the Policy and report to the CEO
CEO	Monitor and report to the Board
Board	Review the Policy annually

14. References / Resources

	Residential Tenancies Act 2010 https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2010-042
	Fair Trading NSW https://www.fairtrading.nsw.gov.au/housing-and-property/renting
	NSW Dept of Communities and Justice Social Housing Policy Social Housing Eligibility and Allocations Policy Supplement Family & Community Services (nsw.gov.au)
	Commonwealth Rent Assistance https://www.dss.gov.au/housing-support/programmes-services/commonwealth-rent-assistance
	Median Rents Rent and Sales Report - interactive dashboard Family & Community Services (nsw.gov.au)
	SEARMS FAQ – Housing Policy