

Sustaining Tenancies (Policy)

Version 4.0

This policy has been adopted by:

Name of Company	Adoption Date
Community Housing Ltd (CHL)	20 January 2025
Community Housing (Vic.) Ltd (CHVL)	20 January 2025
Community Housing (TAS) Ltd (CHTL)	20 January 2025
Community Housing (QLD) Ltd (CHQL)	20 January 2025
Community Housing (Homes for Regions) Limited	20 January 2025
Community Housing (Subi East) Limited	20 January 2025

And any other entities within CHL which adopt this policy.

TABLE OF CONTENTS

1. Introduction	2
2. Aim.....	2
3. Definitions	2
4. Principles of CHL’s Sustaining Tenancies Policy	3
4.1. Clear communication	3
4.2. Eligibility and allocations	3
4.3. Affordability	3
4.4. Rent arrears and tenant debt.....	3
4.5. Assistance for impacts of community crisis/emergency	4
4.6. Tenant engagement	4
4.7. Support coordination	4
4.8. Changing needs of customers	4
4.9. Ending tenancies	5
4.10. Use of “no reason” or “no fault” evictions.....	5
4.11. Tenancy disputes.....	5
5. Related Resources	6
5.1. CHL Group References	6
5.2. External References	6
6. Monitoring and review	6

1. INTRODUCTION

Community Housing Limited Group of Companies (CHL) is committed to working with customers to achieve successful, sustainable tenancies. CHL recognises the complexities associated in maintaining tenancies for customers experiencing high levels of disadvantage or with complex needs. CHL takes a customer focused approach to all its procedures and work practices within its housing and homelessness services and/or provisions.

2. AIM

CHL aims to work proactively to build positive and functional relationships with customers through high quality practice in order to help customers successfully sustain their own tenancies. CHL is committed to maximising housing stability for customers, as a fundamental requirement to enable people to build their lives and communities. CHL will ensure that all its housing management policies, procedures and work practices are directed to sustaining tenancies. CHL aims to avoid evictions and exits into homelessness at all times. The principles of this policy are to be implemented by all staff managing or involved in the management of tenancies on behalf of CHL.

3. DEFINITIONS

Term/ Abbrev.	Meaning
Customer	Generic term used to refer to a renter/tenant, applicant or other person receiving services from CHL

4. PRINCIPLES OF CHL'S SUSTAINING TENANCIES POLICY

4.1. Clear communication

All customers will be given clear information about their tenancies regarding their rights, responsibilities, rent and any associated costs, status of their tenancy, maintenance reporting, dispute resolution options and legislative requirements under the relevant State Residential Tenancies Acts.

4.2. Eligibility and allocations

Working within program guidelines and legislative requirements, CHL will use allocation strategies to facilitate sustainable tenancies. During application, eligibility assessment and allocation processes, CHL will work proactively with customers to identify any barriers to sustaining tenancies, and will take customers' needs, preferences and tenancy skills into account in making allocations. Where applicable, CHL will also consider the needs and preferences of other household members.

At the establishment of a new tenancy, CHL will work with customers to ensure that they understand their rights and responsibilities, the features of their property, how rent is calculated, how to contact CHL and what they can expect of CHL during their tenancy. CHL will maintain engagement with new customers throughout the tenancy establishment phase to help them settle into their property and community and if/where required engage with support providers.

4.3. Affordability

CHL will maintain rents that are affordable and use fair and transparent processes when handling arrears or rent adjustments, within the requirements of the relevant Residential Tenancies Acts and contractual rent setting requirements. CHL makes every attempt to develop and manage housing which is affordable, suitable and of quality to support and enhance liveability in our properties for our customers.

CHL sets rents as per the CHL Rent Setting Policy and program-based requirements for its portfolios, including Commonwealth Rent Assistance paid to the customer by Centrelink should they be eligible.

CHL will work with customers to identify any supports that may be required to prevent debt and other financial difficulties, to ensure that housing remains affordable.

4.4. Rent arrears and tenant debt

CHL will work closely with customers during the first three months of their tenancies to build a relationship of trust and respect and to establish regular rent and tenancy related payment practices. This will continue for any customers who have been identified as experiencing financial difficulties or who often fall into arrears. CHL understands that non-payment of rent is one of the primary issues that can place pressure on the sustainability of the tenancy.

CHL will work with customers and/or their supports to ensure continuity of payment in changing circumstances, for example, in cases where there is hospitalisation, residential respite or treatment stays and/or short-term imprisonment. (Further information can be found in CHL's *Hardship Policy*)

CHL manages all customer debt with discretion in accordance with operating procedures. CHL is committed to ensuring customers are empowered to access support and develop strategies and payment agreements that increase their financial confidence. CHL will communicate with customers quickly to act on minor arrears as it recognises that prevention strategies are more effective than reacting to issues once they develop.

4.5. Assistance for impacts of community crisis/emergency

CHL is committed to assisting its customers to sustain their tenancies during times of emergency and/or crisis, such as but not limited to, bushfires, floods, and pandemics. CHL is aware that such situations may affect its customers' ability to meet their financial obligations in relation to the payment of their rent and/or other payable tenancy charges.

CHL will consider its capacity to assist customers during such times and may introduce practices that assist customers to sustain their tenancies during difficult times, such as postponing or cancelling rent reviews and/or putting a moratorium on rent increases for a certain period of time.

Customers will be notified in writing by CHL of any decisions it may make during such situations and encourages its customers to speak with their CHL Housing Officer if they are affected by such an event.

4.6. Tenant engagement

CHL values its relationships with its customers and understands the importance of early intervention with vulnerable customers and those most at risk of not being able to sustain their tenancy. CHL will tailor its engagement with its customers to meet their needs and ensure the method is appropriate for the environment and circumstance.

In the event of a failing tenancy, Housing Officers will take an individualised approach to assess and manage the circumstances presented and develop a strategy with the customer to outline the method and types of engagement needed to help build their capacity to sustain their tenancy moving forward.

The assessment would consider the various challenges that customers may face, including; financial, health and mental health, living skills, responsiveness to contact, age/frailty, youth and incidences of domestic and family violence.

4.7. Support coordination

CHL will work with customers to identify any additional skills they require in order to maintain their own tenancies. CHL will also engage with customers to identify any other supports, resources or opportunities which would help overcome any barriers to successful tenancies. Acknowledging the importance of separating housing management from provision of support, (with customer's consent) CHL will advocate support for customers through referrals to support partners.

CHL works closely with customers and, if required relevant support providers, to assist them to maintain their tenancies. This may include resolving neighbour disputes, identifying where customers may need assistance with household tasks, daily occupations and/or yard work, putting arrears management and debt management plans in place as an alternative to eviction, linking people to support services through agreements and protocols developed with agencies and applying the CHL Hardship Policy.

4.8. Changing needs of customers

CHL acknowledges that customers' and their household members' needs and priorities change over time. CHL will endeavour to meet customers' changing needs within program guidelines, legislative requirements and available funding. CHL will work closely with customers whose circumstances change suddenly for example as a result of ill health, domestic and family violence, bereavement or other life event, to coordinate additional supports as required.

Requests from customers to modify their property or transfer to another property because of changing needs will be managed fairly and flexibly. CHL will consider safety issues regarding location and/or family breakdown, any required property modifications to meet the customer's needs, including disability modifications (refer to CHL *Disability Modifications Policy*), and overall housing and asset strategies.

4.9. Ending tenancies

CHL views evictions as a last resort option and will only initiate proceeding when all other means of engagement and issue rectification options to assist the customer with sustaining their tenancy have failed. With all evictions, CHL will make available information regarding an external tenancy advocate to represent the customer at a Tribunal/Court Hearing.

At all stages of the eviction process, CHL will make it clear to customers the actions they can take to restore their tenancy. CHL will be fair and reasonable in seeking performance/compliance orders and will be flexible and responsive in adjusting these orders to maximise the customer's capacity to comply and maintain their tenancy.

CHL will consider the impact of our decisions on human rights in accordance with the Charter of Human Rights and Responsibilities 2006. CHL operations staff must complete *Submission to Recover Premises form* for internal recommendation and approval prior to any termination or vacate proceedings/orders being executed.

CHL will comply with legislative requirements and processes prescribed under states' Residential Tenancies Acts and contract requirements, as well as within the guidelines of the CHL *Customer Promise*, CHL national policies and procedures, related legislation, industry frameworks and standards. Where possible, CHL will assist exiting customers to secure alternative housing for example, by providing tenancy references and minimising barriers to rehousing.

4.10. Use of "no reason" or "no fault" evictions

CHL is a national provider of social and affordable housing and operates strictly under the tenancy legislation and regulations in each of its jurisdictions. Termination of a tenancy without a breach of agreement is a provision in many states' residential tenancy legislations across the country.

CHL employs the mechanisms of the legislation and its operating contracts to manage all properties and tenancies within its portfolios. Where CHL is required to handback a property under leasehold or other contractual arrangements and/or in extraordinary circumstances where tenancy sustainability actions have substantially failed and rectification options have been exhausted, CHL may need to end a tenancy under these provisions. Also, from time to time, CHL needs to refurbish, dispose of or redevelop a property in line with its asset management strategy which could require the tenant to move to another property. Where appropriate and possible, CHL will make all attempts to rehouse a tenant and/or connect them with suitable alternative accommodation.

Any eviction proceedings seeking initiation under a "no reason" or "no fault" provision must be recommended by the State Operations Manager and approved by the National Operations Manager before being undertaken.

4.11. Tenancy disputes

At CHL, we are committed to addressing any disputes or concerns that may arise in relation to tenancy issues. This includes situations where customers may feel impacted by decisions made by CHL, such as:

- Neighbourhood-related issues
- Tenant-to-tenant conflicts
- Fairness of tenancy management
- Rent affordability and sustainability

CHL ensures it provides clear and accurate information to customers, however, if a customer feels adversely affected by a decision or action by CHL, we encourage them to raise their concerns with their local CHL office and in case it is needed, utilise CHL's Customer Feedback System.

Our goal is to make sure that all tenants' rents are fair and financially sustainable, and that tenancies are managed in an equitable and transparent manner.

Refer to the CHL Customer Feedback and Appeals Policies and the Customer Feedback and Appeals procedures for further information.

5. RELATED RESOURCES

5.1. CHL Group References

National Housing and Homelessness Policies
Customer Promise
Appeals Policies and Procedures
Customer Feedback and Complaints Policies and Procedures

5.2. External References

National Regulatory Community Housing Standards
Victorian Community Housing Regulatory Framework
Western Australian Community Housing Regulatory Framework
Housing Assistance Act 1996 (COM)
State Housing Acts (NSW 2001, NT 1982, QLD 2003, SA 1995, TAS 2022, VIC 1983, WA 1980)
State Residential Tenancy and Rooming Acts (NSW 2010, NT 1999, QLD 2008, SA 1995, TAS 1997, VIC 1997, WA 1987)
Community Housing Providers National Law Acts 2013 (NT, NSW, QLD, SA and TAS)
The National Affordable Housing Agreement
NRSCH National Regulatory Code
Consumer Charter for Community Managed Housing and Homelessness Services (VIC)
NDIS Quality and Safeguarding Framework
National Disability and Insurance Scheme Act 2013
NDIS Code of Conduct and Rules
The Human Rights and Responsibilities Charter Act 2006 (VIC)
Human Rights Act 2019 (QLD)
Privacy Act 1988 (COM)

6. MONITORING AND REVIEW

This policy is maintained and managed by the CHL Group's Chief Operations Officer.

This document should be reviewed and revised periodically and/or as required. The period between reviews must not exceed three years. This document remains valid until such time that a new version is published

Review History

Document reference	Date Approved	Version	Reason for review	Review frequency	Owner	Approver(s)
POLHOUAUSNATSTP202504	20 January 2025	4.0	Scheduled review	Every 3 years	Chief Operations Officer	Executive
POLHOUAUSNATEST202403	March 2024	3.2	Reformat	Existing	Chief Operations Officer	Executive
POLHOUAUSNATEST202203	June 2023	3.1	NT Inclusion	Existing	National Manager Operations	Managing Director National Manager Operations
POLHOUAUSNATEST202203	November 2022	3.0	Scheduled review	Every two years	National Manager Operations	Managing Director National Manager Operations
POLHOUAUSNATEST202002	September 2020	2.0	Scheduled review	Every two years	National Manager Operations	Managing Director National Manager Operations
POLHOUAUSNATEST201801	December 2018	1.0	Combined into new policy*	Every two years	National Manager Operations	Managing Director National Manager Operations

* Supersedes Establishing and Supporting Tenancies policy.