

## PM 1.12 Disability Modifications Policy and Procedure

### 1. Purpose

- 1.1. To support our tenants/ tenant members to live safely and independently in their homes for as long as possible with or without support.
- 1.2. Meet the requirements of tenants with disabilities, special needs or those ageing in place.
- 1.3. To modify properties if it is economically viable to do so.
- 1.4. To comply with all relevant legislation and building standards.

### 2. Scope

- 2.1. CENSW is not a specialist disability provider and may not be able to modify dwellings to the extent required to suit all tenants with a disability.
- 2.2. CENSW will undertake or arrange all disability modifications.
- 2.3. This policy applies to those housing assets which are either owned by Common Equity NSW (CENSW) or are managed by CENSW on behalf of NSW Government Land and Housing Corporation.
- 2.4. Properties owned in strata complexes may only have handrails and other minor changes.

### 3. Exceptions

Nil

### 4. Definitions and Acronyms

- 4.1. **CENSW** – Common Equity NSW Ltd
- 4.2. **LAHC**- refers to the NSW Government Land and Housing Corporation
- 4.3. **CCA** - Company Co-operative Agreement.
- 4.4. **Co-operative** – refers to the Board of a Housing Co-operative that manages housing on behalf of CENSW. The Co-operative is the Landlord and has the direct relationship with the Tenant.

## PM 1.12 Disability Modifications Policy and Procedure

- 4.5. **Direct Managed**- properties that are managed by CENSW. CENSW holds all asset management responsibilities.
- 4.6. **Modifications**- alterations to the property based on a medical need of the tenant, or tenant member.
- 4.7. **Minor Modification**- non-structural work such as grabrails, handheld shower sets, lever taps
- 4.8. **Major Modification**- likely to involve structural work such as providing ramp access, modifications to kitchen, bathroom or laundry, replacement of floor coverings, widening doors, other changes that require Development Application (DA) approval.

### 5. Responsibilities

- 5.1. **Chief Executive Officer (CEO)** is responsible for providing oversight of the Asset Management Budget
- 5.2. **Operations Manager** is responsible for the implementation of the policy, ensuring it is regularly reviewed, and management of any Appeals regarding Modification requests.
- 5.3. **Property Manager** is responsible for seeking approval from LAHC and managing the modification process including monitoring the budget, reporting quarterly to Department of Communities and Justice through the CHIMES portal.
- 5.4. **All staff** are responsible for adhering to the policy and procedures, ensuring that all tasks in the process are met, that all communications are documented in Greentree and escalating any contentious issues to Management.

### 6. Policy Statement

- 6.1. Tenants, tenant members and Co-operatives can apply for modifications to a property to enhance the accessibility and functionality for the tenant or household member.
- 6.2. In assessing the modification request, CENSW will consider:
  - 6.2.1. if the modification will support the tenant or tenant member's stay in their home

## **PM 1.12 Disability Modifications Policy and Procedure**

6.2.2. all viable alternatives have been explored

6.2.3. the economic viability of the modification, including:

- Long term value of the property
- Costs of alternatives
- Consideration of any funding sources available
- Cost/benefit of relocating the tenant/tenant member
- Assessment of whether the modification will meet the needs of the current and future tenants

6.2.4. compliance with any program, regulatory or environmental standards, covenants that apply to the residential premises

6.3. If the property is not owned by CENSW, we are required to seek approval from the owner of the property.

6.4. Outcome of the assessment and reasons for decisions will be discussed with the tenant, tenant member or Co-operative.

6.5. If a modification cannot be undertaken, CENSW will work with the tenant, tenant member and Co-operative to see whether a transfer would be an option.

6.6. CENSW at its discretion may seek their own OT assessment and / or an Independent Living Skills Assessment.

### **7. Procedure**

7.1. Tenant, tenant member, or Co-operative to submit Modification Request via email to ([maintenance@commonequity.com.au](mailto:maintenance@commonequity.com.au)). An Occupational Therapist (OT) report required and other medical reports are to accompany the request.

7.2. Property Services may conduct a property inspection and discuss the proposed modification with the tenant or Co-Operative as required.

7.3. Property Service may be required to seek approval from the LAHC to undertake the modification

## **PM 1.12 Disability Modifications Policy and Procedure**

- 7.4. Generally, any modification that requires Council approval will not be considered.
- 7.5. If CENSW is unable able to make the modifications requested, engagement with the tenant or Co-operative will be undertaken to explore alternative options.

### **8. Breach**

- 8.1. Undertaking disability modifications will be deemed a breach under the tenant's Tenancy Agreement or CCA between CENSW and the Co-operative.
- 8.2. An order may be made to remove the works, stop work or other direction issued by CENSW.
- 8.3. Co-operatives undertaking unapproved disability modifications will be a breach under the CCA.
- 8.4. Tenants undertaking unapproved disability modifications may be grounds for terminating your tenancy.

### **9. Data Collection**

- 9.1. All data collected regarding a tenancy or property will be stored in the CENSW Tenant Management System – Greentree.
- 9.2. The intended use of data collected under this policy is to support the assessment of modification requests and satisfy regulatory and owner requirements.

### **10. Appealing Decisions**

- 10.1. If a tenant, tenant member or Co-operative believes that CENSW has made an incorrect decision in relation to a modification request, they should first discuss this with a Property Officer. If they are still unsatisfied with the explanation provided, they are able to request a formal review of the decision using CENSW's Appeals Form.

### **11. External References**

## **PM 1.12 Disability Modifications Policy and Procedure**



- Residential Tenancies Act 2010 NSW
- Housing Act 2001 (NSW)
- Home Building Act
- Disability Discrimination Act

### **12. Internal Associated Documents**

- CCA - Company Co-operative Agreement
- Appeals Policy

### **13. Forms**

- Application Form for Disability Mods
- Appeals Form

<b>Name, Designation and Signature of Approver</b>	<b>Corine Addison, Operations Manager</b>
<b>Contact/Responsible Delegation</b>	<b>Stephen Wardrop, Property Manager</b>
<b>Date</b>	<b>24 Nov 2020</b>
<b>Date Committee/Board Approved</b>	<b>NA</b>
<b>Date Staff Informed</b>	
<b>Upload to Website and Date</b>	
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