

## **T 4.19 Appeals Policy**

### **1. Purpose**

This policy outlines how Common Equity NSW (CENSW) manages appeals in relation to decisions made by CENSW. It ensures principles of effectiveness, accessibility, procedural fairness and transparency underpin our appeals platform.

### **2. Scope**

This policy applies to all appeals received from applicants, tenants, tenant members, co-operatives and stakeholders of CENSW. It does not apply to complaints, which are managed under the CENSW Complaints Policy.

### **3. Definitions**

#### **3.1 Appeal**

An expression of disagreement with a decision that has been made and requests that an independent person reconsider the decision to decide whether the original decision was fair and within CENSW policy and procedure.

#### **3.2 Appellant**

The person appealing the decision.

#### **3.3 Complaint**

An expression of dissatisfaction made to an organisation, related to its products (services), or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.

#### **3.4 Customer**

An applicant, tenant, tenant member, Co-operatives or stakeholders of CENSW.

### **4. Policy**

CENSW is committed to fair decision-making and will provide an opportunity for decisions to be reviewed where they may be considered wrong or unreasonable. All feedback is welcome and ultimately informs CENSW service improvement practices.

We aim to resolve appeals in a way that is transparent, fair and respectful, while maintaining accountability and compliance with relevant legislation.

CENSW will:

- Provide an accessible process for our customers to request a review of a decision made by CENSW
- Review decisions based on accurate and complete information

- Ensure appeal outcomes are explained clearly and supported by written reasons
- Manage appeals in a way that protects privacy and confidentiality
- Use appeal outcomes to inform continuous service improvement.

#### **4.1 What is an Appeal?**

The Housing Appeals Committee- [www.hac.nsw.gov.au](http://www.hac.nsw.gov.au) has an extensive list of appealable decisions, including:

- Former tenant charges
- Calculation, change or cancellation of a rent subsidy
- Succession
- Dwelling entitlements
- Offers of properties
- Eligibility of social housing
- Eligibility for transfers

Some decisions or issues cannot be appealed through the CENSW appeals process. Decisions that may not be appealable include:

- Matters that are the responsibility of another organisation or body, such as the NSW Civil and Administrative Tribunal (NCAT)
- Decisions that are not directly related to the person lodging the appeal
- CENSW policies, which are set by the organisation
- Matters or programs that are not related to housing, such as tenant participation activities, support or referral services

#### **4.2 Lodging an Appeal**

If a customer is unhappy with a decision CENSW has made, they can appeal to have the decision reviewed. Generally, an appeal must be made within 3 months of the original decision.

A customer can lodge an appeal by:

- Email – [enquiries@commonequity.com.au](mailto:enquiries@commonequity.com.au)
- Phone – 1800 066 834
- CENSW Online Appeal Form

#### **4.3 Managing Appeals**

CENSW will ensure that all appeals are handled fairly, confidentially and by an appropriate manager who was not involved in the original decision.

Appeals will be acknowledged promptly, and appellants will be kept informed of progress throughout the review.

CENSW aims to complete appeal reviews and provide a formal written response within 20 working days. Where more time is needed, the person lodging the appeal will be advised of the reason and expected timeframe.

All appeal outcomes will be explained clearly, with written reasons provided for the decision.

#### 4.4 Right to External Review and Other Avenues

If an appellant is dissatisfied with the outcome of an internal appeal, they may request an independent review by the NSW Housing Appeals Committee (HAC).

HAC is an independent body that reviews decisions made by community housing providers and makes recommendations to the organisation.

- Website: [www.hac.nsw.gov.au](http://www.hac.nsw.gov.au)
- Phone: 1800 629 794

Appealing with CENSW does not prevent a person from seeking support or advice through other avenues, including:

- Tenant Advice and Advocacy Services
- Community Legal Centres – [www.clcnsw.org.au](http://www.clcnsw.org.au)
- NSW Civil and Administrative Tribunal (NCAT), if they believe CENSW has breached the Residential Tenancy Agreement
- Local Members of Parliament, who may advocate or refer concerns

#### 4.5 Data Collection

CENSW will keep and maintain appropriate records of all appeals received. This includes:

- Information about the appeal
- Any action taken to remediate or resolve the appeal
- The outcome of any action taken
- All records will be kept for 7 years from the date the record was made.

### 5. Related Legislation, Documents and Policies

- CENSW Feedback Factsheet
- CENSW Appeals Form
- CENSW Complaints Policy
- [NSW Government Housing Appeals Committee](#)
- NSW Civil and Administrative Tribunal (NCAT)

### 6. Variations

That the policy can be reviewed and amended as required by CENSW.

Name and Designation of Approver	Head, Cooperative Services
Contact/Responsible Delegation	Cooperative Services Team Manager
Date approved	November 2025
Review Date	November 2028
Version	1

