

PURPOSE:

The Community Housing Rent Policy provides the guidelines about management of the rents calculated and charged by the Company and Co-op. In setting rents and other related tenancy charges the Landlord will comply with all legislative and legal obligations and requirements.

1. SCOPE

- 1.1. Applies to all staff
- 1.2. Applies to co-operatives

2. EXCEPTIONS:

NA

3. DEFINITIONS

- 3.1. **Landlord** -the person who grants the right to occupy residential premises under a residential tenancy agreement.
- 3.2. **Co-op** - governance structure where residents become 'members' of the cooperative, and play an active part in running the organisation.
- 3.3. **Tenant** -the person who has the right to occupy residential premises under a residential tenancy agreement.
- 3.4. **Market Rent** is described as what a willing landlord might reasonably expect to receive, and a willing tenant might reasonably expect to pay for the tenancy, in comparison with rent levels for similar properties in similar areas.
- 3.5. **Rebated Rent** Under the rent rebate system, Community Housing providers charge market rent for their dwellings. If you cannot afford this rent (based on your assessable income), you may be eligible and can apply for a rent rebate. The rebate is deducted from the market rent to calculate your contribution; you then pay this amount to your housing provider. If eligible, you will not spend more than 25% of your assessable income on rent.

4. RESPONSIBILITIES

4.1. Chief Executive Officer (CEO)

- 4.1.1. Providing resources
- 4.1.2. Oversight of process etc

4.2. Manager

- 4.2.1. Staff competency
- 4.2.2. Monitoring

4.3. Board

4.4. Quality Coordinator (QC)

- 4.4.1. Review the policy with relevant staff as per schedule or when required

5. CONTENT

5.1. The Landlord will

- 5.1.1. Provide clear information about how rents are set and reviewed, and how rebates are set and calculated.
 - 5.1.2. Make sure that tenant/members receive a written notice of rent reviews and market rent reviews. The Landlord will act in those matters according to the Residential Tenancies Act 2010 and the Community Housing Rent Policy.
- 5.2. Appeals.** Tenants can appeal decisions about market rent setting, about their rent and their entitlement to a rent rebate by using the Landlord's internal appeals policy.

6. REFERENCES

- 6.1. Residential Tenancy Act 2010
- 6.2. Community Housing Rent Policy
- 6.3. Community Housing Agreement – Lease
- 6.4. Company Co-operative Agreement - CCA

7. ASSOCIATED DOCUMENTS

- 7.1. C 1.14 Complaints and Appeals Policy and Procedure

8. FORMS

- 8.1 Advice about Rebated Rent Letter
- 8.2 Changes in Rebated Rent Letter
- 8.3 Eligibility for Rebated Rent Letter

9. PROCEDURE

9.1. Setting the market rent for a property

Procedure Title	SETTING THE MARKET RENT FOR A PROPERTY
Purpose	The Community Housing Rent Policy provides guidelines about the procedure to set market rent for a property owned or leased by the Company and/or Co-op

<p>1. What is the market rent and how is it assessed?</p>	<p>a. The amount of market rent is set on the basis of the most current Rental Bond Board data for capital properties for any particular, local (postcode) area as set out in rent and sales reports published on Housing NSW website: www.housing.nsw.gov.au), or</p> <p>b ,</p> <p>Where it is known that the actual market rent in a location differs markedly and is lower than the market rent established on the basis of the Rent and Sales Report data, and where tenants paying market rent would be adversely affected, community housing providers can vary the market rent to take local conditions into account. In varying market rents community housing providers must have appropriate documented evidence to support their decision.</p>
<p>2. The market rent in the tenancy agreement?</p>	<p>a. All residential tenancy agreements signed by the co-op must show the market rent of the property.</p> <p>b. Market Rent is the maximum rent tenants of the co-op will be expected to pay.</p>
<p>3. How we record market rents</p>	<p>a. The method for setting the rent level, and the date of review, will be recorded on the property file.</p>
<p>4. Review</p>	<p>a. We will review market rents annually, before the income review and give our tenants 60 (note allow further 4 days for postal delivery) days notice of any changes in the market rent as required by the Residential Tenancies Act 2010.</p>

9.2. Calculating rebated rent

<p>CALCULATING REBATED RENT</p>	
<p>Purpose</p>	<p>The Community Housing Rent Policy provides guidelines about the procedure to calculate rebated rent by the Company and Co-op.</p>
<p>1. Request proof of income</p> <p>2. Check the information is accurate and complete.</p>	<p>a. Ask tenants to provide the details of their household gross income for each person in form of accepted proofs of income, like pay slips, Centrelink statements, and Tax returns. Check that the amounts given for Centrelink payments are the current levels and query any payments that are shown as less than the full entitlement.</p> <p>a. Check if there is proof of income attached for every household member who has an income. Where an adult household member declares no income they are to be assessed as receiving the minimum Centrelink benefit they would otherwise be entitled to receive (including any CRA).</p> <p>b. Make sure the proof of income provided is current (i.e. less than 6 weeks old).</p>

<p>3. Calculate the rebated rent using the Community Housing rent calculator. Ask CENSW for the most recent version as it is updated bi-annually.</p> <p>4 Attach the proof of income to the calculation and summary sheet and forward to tenants</p> <p>5. Where a tenant is in receipt of a Centrelink benefit, prepare a letter to Centrelink about their entitlement to Rent Assistance</p> <p>8.Update the tenant rent records</p> <p>9. Change the rent for all tenants who have not provided information to market</p>	<p>c. Make sure the income from employment is gross and not net, and that the previous six months wages or salary are given whenever possible.</p> <p>d. Where the tenants are employed or self-employed check the proof of income and if necessary ask for additional evidence that may include additional pay slips, tax returns and bank statements.</p> <p>a. Provide tenants with a letter stating the new rebated rent, and when this will be effective.</p> <p>b. Advise tenants of how they can appeal if they are dissatisfied with the calculation of their rebated rent</p> <p>a. If the tenant is in receipt of a Centrelink payment the tenant may be eligible for Commonwealth Rent Assistance (CRA). Note: 100% of CRA goes to the landlord/housing provider.</p> <p>b. Advise tenants to take the rent letter to Centrelink to adjust the rent assistance.</p> <p>a. Enter the new rebated rent amount and the date this new rent will be effective. For new tenants the rebated rent will be effective from their first rent payment.</p> <p>b. For existing tenants whose rebated rent has been reassessed, an increase in the rebated rent will be effective 14 days (note: allow further 4 days for postal delivery) from the day the written notification is sent to tenants.</p> <p>c. Increase to market rent will be effective 60 days (note: allow further 4 days for postal delivery) from the date the written notification about the rent changes is sent to tenants.</p> <p>If within 30 days from the day the income review was requested by the landlord the tenant has not supplied income details.</p> <p>Failure to supply income details Tenants who fail to supply details of household income by the due date will</p>
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