

TEMORA SHIRE COUNCIL



TEMORA
The Friendly Shire

Supported Accommodation Residential Tenancy Policy

ACTIVE

Review Details

ABOUT THIS RELEASE

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REVIEW

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August 2021	New Policy	26 August 2021	GCL

PLANNED REVIEW

Planned Review Date	Revision Description	Review by
September 2022		E Smith

OVERVIEW

This document provides information on the overall management and eligibility for tenancy in Supported Accommodation provided by Temora Shire Council and the process for identification of potential tenants and filling vacancies.

VACANCY MANAGEMENT PROCEDURES

Temora Shire Council is responsible for managing vacancies within Support Accommodation facilities.

IDENTIFYING POTENTIAL TENANTS

Essential eligibility criteria for Supported Accommodation provided by Temora Shire Council are:

- You have an NDIS Plan with approval for Supported Independent Living OR you have funding for Investigating Housing Solutions, and expect that your Plan will include Supported Independent Living funding;
- You require access to 24/7 support;
- Capability to provide the support needs of the individual under the Supported Independent Living (SIL) Service Provider's registration;
- You are over the age of 18;
- You have the capacity to sustain independent living with care and support; and
- Compatibility with current tenants including: age, gender, interests, etc;

Temora Shire Council identifies potential tenants via:

- Expressions of interest received directly;
- Referrals from Local Area Co-ordinators;
- Referrals from disability service providers, including Support Coordinators;
- Attendance at disability service forums;
- Referrals from advertising activities;
- Direct contact from hospitals, rehabilitation centres, and aged care providers and other relevant institutions.

ADVERTISING VACANCIES IN SUPPORTED ACCOMMODATION PROPERTY

Vacancies in Temora Shire Council's Supported Accommodation properties are promoted via:

- Informing SIL providers (including those who operate in the area in which the Supported Accommodation facility is located and more broadly);
- Contacting people on the Temora Shire Council register of interest (people who have expressed an interest in accommodation in that area) to discuss the accommodation and their suitability;
- Marketing activities (e.g. local newspaper, social media, Disability Expos).

For existing Supported Accommodation properties, Temora Shire Council will undertake advertising as soon as it is informed a vacancy will be occurring.

TENANT SELECTION

In filling vacancies in Supported Accommodation dwellings, the needs, wishes, choices and current living situation of prospective tenants will be taken into consideration by Temora Shire Council selection panel consisting of:

- Temora Shire Council Director of Administration & Finance
- 2 Independent skills-based representatives – e.g. G.P. or Allied Health Professional
- 2 representatives from Supported Independent Living (SIL) Service Provider

In addition to the essential eligibility criteria, consideration will also be given to the following when selecting tenants for the supported independent living house:

- The individual is at risk of harm from living in current accommodation;
- Current accommodation situation is unsustainable;
- The individual is currently a resident in an aged care facility
- Evaluation of prospective tenant's safety within the SIL environment.

Preference will be given to applicants who currently reside in Temora Shire or have a family connection to Temora Shire.

Temora Shire Council selection panel will document the outcomes of the above criteria for tenant selection.

RENT

Rental Bonds

Temora Shire Council does not collect rental bonds for Support Accommodation tenancies.

Rent charges

Tenant rent is set according to the NDIS Reasonable Rent Contribution (RRC) policy.

In line with this, the following rent settings apply to Supported Accommodation tenants:

- 25% of the basic single rate of the Disability Support Pension (DSP), plus 25% of the Pension Supplement, plus 100% of Commonwealth Rent Assistance (CRA).
- For tenants under 21 years of age, the same RRC calculation applies, but is based on the single rate of Youth DSP and the Youth Supplement.
- Where tenants are not eligible for DSP, the RRC is set at 25% of the current basic single rate of the DSP, plus 100% of CRA, if they are eligible for CRA.

Rent payment period

Rent is charged on a weekly basis. Rent payments are to be paid fortnightly via Direct Debit and must remain two weeks in advance.

Rent arrears

Temora Shire Council will work proactively to manage tenant accounts so that all tenants are 2 weeks in advance at all times. For arrears 3 days and over, Temora Shire Council will advise via phone call to tenant/guardian that the account is in arrears and offer ways to remedy. For all arrears over 14 days with no repayment plan in place Temora Shire Council will issue written notice to the tenant/guardian.

Review of Market Rent and Eligibility

Market rent is reviewed annually in line with CPI changes and /or through a Rent Review Event issued by the NDIA. Tenants will be given 60 days' notice of a market rent increase and requested to provide updated income details every 6 months, in line with the Commonwealth's changes in pensions and benefits to be assessed for the RRC. If they continue to meet the eligibility criteria, they may be approved for an extension on their current lease.

To ensure rents are set accurately, Temora Shire Council will:

- Agree the market rent for all properties according to Temora Shire Council requirements and adjusted annually to account for changes in CPI, and
- Confirm the Reasonable Rent Contribution (RRC) amount relevant to the tenant based on current NDIA information.

ENDING A RESIDENTIAL TENANCY AGREEMENT / LEASE TERMINATION

Tenant's right to end a Residential Tenancy Agreement

A tenant can end a Residential Tenancy Agreement and vacate the property at any time by giving Temora Shire Council 60 days' notice, in writing, of intention of vacate. Temora Shire Council staff will follow up with tenant/advocate and the relevant SIL Provider to confirm this intention to vacate and to schedule an exit interview, if possible. The tenant will be required to make all the Accommodation Payments until the end of their notice period unless Temora Shire Council agrees in writing that they do not have to. Temora Shire Council will perform an exit interview with the tenant, tenant representative (if applicable) and the SIL provider to ensure that the exit is positive, and to provide feedback to us around our service delivery.

Temora Shire Council's right to end a Residential Tenancy Agreement

Before giving the tenant notice to end their Residential Tenancy Agreement for any reason, Temora Shire Council must arrange a meeting with their SIL Service Provider, the tenant (and/or representative), a NDIS Support Coordinator and the Tenancy Review Panel to consider whether the tenant requires additional supports to enable them to remain at the property or if relocation is a more appropriate solution.

If the issues are resolved, Residential Tenancy Agreement will continue. If the issues are not resolved a further meeting will be held to determine the next steps to end the Agreement with appropriate notice (at least 60 days). Where a Residential Tenancy Agreement ends, Temora Shire Council and the NDIA will support the tenant to identify alternative accommodation.

Temora Shire Council may end a Residential Tenancy Agreement with less notice if:

- a) The tenant uses the property for an illegal purpose; or
- b) The tenant has not paid the Accommodation Payments and/ or any other payments required under their Agreement and do not pay these amounts within 14 days of receiving an overdue notice; or
- c) The tenant ceases to have SIL as a reasonable and necessary support in their NDIS or COS plan; or
- d) The tenant cannot be supported at the property without serious risk of harm to themselves, staff or other occupants.

CONFLICT OF INTEREST

Conflict of interest may arise in situations where someone with a personal relationship with a Temora Shire Council Director, Councillor or staff member applies for an accommodation vacancy. In these cases, everything must be done to reduce the conflict of interest:

- Management must be informed, and actions and decisions recorded on the Temora Shire Council Conflict of Interest Register in accordance with s449(3) Local Government Act disclosures by council and designated persons.
- The Director, Councillor or staff member with a conflict of interest will not be involved in the assessment or allocation process.

CONFIDENTIALITY

All information regarding prospective tenants collected during the assessment process is confidential and will not be discussed externally except with the specific consent of the applicant (applicants will generally have signed specific consents).

FEEDBACK, COMPLAINTS AND COMPLIMENTS

If you wish to give Temora Shire Council feedback or make a complaint about your accommodation, your SIL provider or another resident in your home, please contact us on T: 02 6980 1100 or refer to Temora Shire Council's Complaints/Disclosure Reporting Procedure.

Appendix 1 – Residential Tenancy Agreement

Appendix 2 - Supported Accommodation Residential Tenancy Expression of Interest

Appendix 3 – Supported Accommodation Residential Tenancy Register of Interest

Appendix 4 – Tenant Assessment Criteria Ranking Sheet