

TEMORA SHIRE COUNCIL



Supported Accommodation Residential Tenancy Policy

ACTIVE

Review Details

ABOUT THIS RELEASE

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REVIEW

Revision Date	Revision Description		Date approved by Council	General Managers Endorsement
August 2021	New Policy	1	26 August 2021	GCL
October 2024	Review for currency & legislative compliance	2	N/A	MKB

PLANNED REVIEW

Planned Review Date	Revision Description		Review by
September 2027	Review		

OVERVIEW

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

VACANCY MANAGEMENT PROCEDURES

Council is responsible for managing vacancies within Supported Accommodation facilities.

IDENTIFYING POTENTIAL TENANTS

Pre-screening requirements: (see **Appendix 3: Temora Shire Council Tenant Pre-screening Assessment**)

- Potential tenants must meet ALL essential criteria to progress to the next stage of the selection process.
- Pre-screening assessment will be undertaken by Council's Director of Administration & Finance and the Manager of the Supported Independent Living provider.

Essential eligibility criteria for Supported Accommodation provided by 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;
- The SIL Provider is capable 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
- You are compatible with current tenants including: age, gender, interests, etc.

Council identifies potential tenants via:

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

ADVERTISING VACANCIES IN SUPPORTED ACCOMMODATION PROPERTY

Vacancies in 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 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, 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 Council selection panel consisting of:

- Council's Director of Administration & Finance
- Two independent skills-based representatives – e.g. G.P. or Allied Health Professional
- Two 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.

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

RENT**Rental Bonds**

Council does not collect rental bonds for Supported Accommodation tenancies.

Rent charges

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

In line with the RRC policy, 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

Council will work proactively to manage tenant accounts so that all tenants are two weeks in advance at all times. For arrears three days and over, Temora Shire Council will advise via phone call to tenant/guardian that the account is in arrears and suggest ways to remedy the situation. For all arrears over 14 days with no repayment plan in place 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 six 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, Council will:

- Agree the market rent for all properties according to 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 Council 60 days' notice, in writing, of intention to vacate. Council staff will follow up with tenant/advocate and the relevant SIL Provider to confirm the intention to vacate and to schedule an exit interview, if possible. The tenant will be required to make all accommodation payments until the end of their notice period unless Council agrees in writing that they do not have to. 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 around service delivery.

Council's right to end a Residential Tenancy Agreement

Before giving the tenant notice to end their Residential Tenancy Agreement for any reason, Council must arrange a meeting with the 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, the 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, Council and the NDIA will support the tenant to identify alternative accommodation.

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 Continuity of Support plan; or
- d) The tenant cannot be supported at the property without serious risk of harm to themselves, staff or other occupants.

A Standard Residential Tenancy Agreement can be obtained from the following website link:

<https://www.nsw.gov.au/housing-and-construction/rental-forms-surveys-and-data/resources/standard-residential-tenancy-agreement>

CONFLICT OF INTEREST

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

- Management must be informed, and the interest must be recorded in accordance with Council's Code of Conduct.
- 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 Council feedback or make a complaint about your accommodation, your SIL provider or another resident in your home, please contact us by phone on 02 6980 1100 or refer to Council's Compliments and Complaints Management Policy and/or Public Interest Disclosure Policy.

Appendix 1 – Supported Accommodation Residential Tenancy Expression of Interest

Appendix 2 – Supported Accommodation Residential Tenancy Register of Interest

Appendix 3 – Tenant Pre-screening Assessment

Appendix 1 - Supported Accommodation Residential Tenancy Expression of Interest

Temora Shire Council
Expression of Interest
RESIDENTIAL TENANCY VACANCY
SUPPORTED INDEPENDENT LIVING HOUSE

OVERVIEW

Temora Shire Council (TSC) is committed to providing residential tenancy opportunities which meet the housing needs of NDIS participants. TSC have prepared this expression of interest to obtain information about the individual needs of the NDIS participant and to ensure that we collect required information for tenant selection.

CLIENT PROFILE

Client Name: _____

Date of Birth: _____

Current Address: _____

Phone #: _____

eMail: _____

NDIS #: _____

NDIS Plan Start Date: _____ End Date: _____

Do you receive a Disability Support Pension? Yes ☐ No ☐Do you receive income from another source such as work? Yes ☐ No ☐

Occupation: _____

Do you identify as being:

Aboriginal: Yes ☐ No ☐ TSI: Yes ☐ No ☐ CALD: Yes ☐ No ☐

Emergency Contact: _____ Phone: _____

Do you have a Public Guardian? Yes ☐ No ☐Do you have a Financial Trustee? Yes ☐ No ☐

What is your diagnosed Disability? _____

Do you have any medical conditions? Yes ☐ No ☐

If Yes, please provide details: _____

YOUR CURRENT LIVING SITUATION

1. Do you have Carer? Yes ☐ No ☐

If yes, how old is your Carer? _____

2. What does your Carer do for you? _____

3. Do you receive paid supports in your home to provide you with any care?

Yes ☐ No ☐

If yes, how many hours per week do you receive? _____

4. Are you able to be home alone during the day? Yes ☐ No ☐

If no, why? _____

5. Are you able to be left alone overnight? Yes ☐ No ☐

If no, why? _____

6. Is your current home a safe environment for you to keep living in? Yes ☐ No ☐

If no, why not? _____

7. Why would you like to move?

YOUR FUNDING

8. Do you have Supported Independent Living Funding (“supports”) in your current NDIS Plan? Yes ☐ No ☐

If no, have you talked with you Support Coordinator or Local Area Coordinator about your desire to move into this property?

Yes ☐ No ☐

If yes, have you been advised you are eligible for Supported Independent Living funding status? Yes ☐ No ☐

9. Are you aware that you will need to contribute a fixed percentage of your Disability Support Pension (or equivalent) to cover the costs of Rent and Board?

Yes ☐ No ☐

YOUR NEEDS

10. Due to your disability, do you have any specific property needs?

Yes ☐ No ☐

If yes, please list below: _____

11. Do you use any specialised equipment for tasks of daily living? E.g. wheelchair, shower chair, hoist etc Yes ☐ No ☐

If yes, please list: _____

RISK FACTORS

12. Is there any known domestic violence in your current home? Yes ☐ No ☐

Details: _____

13. Are there any AVOs in place or charges pending? Yes ☐ No ☐

Details: _____

14. Do you own any firearms/weapons? Yes ☐ No ☐

Details: _____

15. Do you have a current or recent Alcohol issue? Yes ☐ No ☐

Details: _____

16. Do you have a current or recent drug issue? Yes ☐ No ☐

Details: _____

Return completed forms to:

**Private and Confidential
Supported Accommodation Expression of Interest
Temora Shire Council
PO Box 262
Temora NSW 2666**

If you need assistance in completing this form, please contact:
Temora Shire Council on 02 6980 1100.

Appendix 2 - Register of Interest for Supported Accommodation Tenancy**Address: 115-117 Tonkin Street, Temora, NSW, 2666**

Date	Name	Phone Number	Current Address	Referral received From? e.g. EOI ad, NDIA	Current NIDS SDA Funding Approval? Yes/No

Appendix 3**Temora Shire Council Tenant Pre-screening Assessment**

Potential tenants must meet ALL of the essential criteria (Part B) to progress to the next stage of the tenant selection process.

Potential Tenant Name: _____ Date of Birth: _____

Current Address: _____

Part A (Please tick supports required to ensure SIL Provider has appropriate registrations)	Yes	No	Notes for consideration
NDIS Supports Registration Groups (High Intensity Supports):			
- Complex Bowel Care			
- Enteral Feeding Support			
- Dysphagia Support			
- Ventilator Support (incl. Suction, O ₂ , BiPAP/CPAP)			
- Tracheostomy Support			
- Urinary Catheter Support			
- Subcutaneous Injections			
- Complex Wound Care Support			
- Epilepsy and Seizure Support			
Part B (Essential Criteria)			
NDIS Plan approval for Supported Independent Living			
Current NDIS Plan has funding for Investigating Housing Solutions, and expectation that your Plan will include Supported Independent Living funding;			
Requires access to 24/7 support			
Are over the age of 18			
SIL provider is registered for the supports required by the potential tenant			

Date of Assessment: _____ Outcome of Pre-Screening Assessment (circle): **MET** **NOT MET**

Assessment Completed by: _____ Signature: _____

Assessment Completed by: _____ Signature: _____