

REVIEWING RENTS POLICY AND PROCEDURE

1.1 PURPOSE

Woomera Aboriginal Corporation (WAC) is a community housing provider and as such must comply with the NSW Residential Tenancy Act 2010. In accordance with the Act 2010, regular rent reviews must occur annual basis.

1.2 SCOPE

This policy applies to all Woomera Aboriginal Corporation housing employees.

1.3 POLICY

The Housing Officer is responsible for reviewing rents annually in September. The Management Board will then be briefed accordingly.

The Management Board should apply the policy guidelines as required by the funders fairly and equitably, and when applicable approve:

- The Housing Officer to prepare the required Rent Increase Notice to all affected tenants or
- Notice of Intention to Terminate the Lease under Section 143 of the Residential Tenancies Act 2010 as the tenant is no longer eligible to reside in the class of social housing to which the agreement applies.

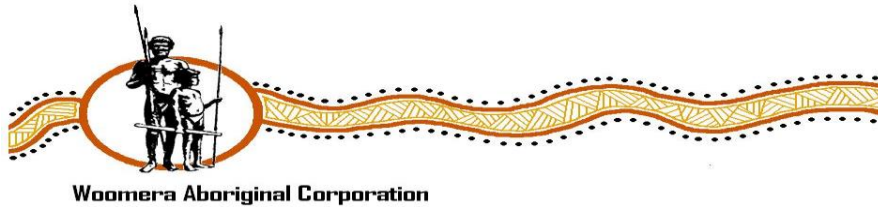
Rental increases must be in accordance with the requirements of the NSW Residential Tenancies Act 2010, and it should be noted that rents can only be increased once per annum. Rental increases should be imposed with sixty (60) days written notice. If the rental increase is deemed to be excessive, then the Management Board should consider the incremental increase of rent each three (3) months.

A Notice of Intention to Terminate the Tenancy should invite the tenant to contact the Housing Officer or the Team Leader to discuss the matter if required and the tenant should be advised that under Section 145 of the Residential Tenancies Act 2010, they have the right to apply to the landlord for a review of this decision.

A Rent Increase Notice and Notice of Intention to Terminate the Tenancy should be signed by the Chairperson of the Corporation.

Revised rents should be reasonable, but as a minimum, rents should cover the following housing costs for the property concerned:

- Annual land rates;
- Annual water rates (excludes tenant water usage charges);
- Annual building insurance;
- Day to day repairs and maintenance;
- Cyclical maintenance; and Management Fees if applicable
- Any increase in rates or insurance costs.



1.4 PROCEDURE

Identifying Reasonable Rents for each Property

In the last two weeks of July (annually), the Housing Officer is required to develop a spreadsheet that contains the following information in relation to each property.

- the market rent for the type of property in Albury or Wagga Wagga respectively, as determined by the size of the property. e.g., one (1) bedroom houses through to five (5) bedroom houses.
- the current rent being paid.
- the difference in the market rate to the current rental rate
- for WAC owned properties the recommended rental levy for the property type in accordance with current the NSW National Rental Affordability Scheme (NRAS) guidelines
- for AHO owned properties the recommended rental levy for the property type in accordance with the current Build and Grow CPI supplement for the rent policy,
- the level of Government rental subsidy (if any) the tenant receives.

The spreadsheet is to be attached to the briefing to the Management Board each September for information when the Management Board considers increasing rents for each property.

Imposing Rental Increases based on Total Household Income

In accordance with NSW Residential Tenancies Act 2010 rent may only be increased once per annum

The Housing Officer should apply the policy guidelines, assess, and determine any increase in rents which will then be taken back to the Management Board accordingly.

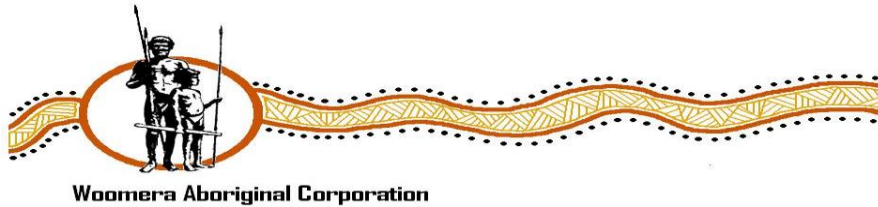
The Management Board should apply the policy guidelines as required by the funders fairly and equitably and approve the Housing Officer to prepare the required Notice of Increase in Rent to all affected tenants.

If a tenant's rent is to be increased the tenant must be advised in writing and must be given sixty (60) days' notice of any increase in the amount of rent payable

The Housing Officer should prepare the Notice of Increase in Rent and invite the tenant to the office within five (5) business days of the date of the notice to inform them of the result of the assessment and to answer any questions they may have.

If the tenant does not attend the office within five (5) business days, the Notice of Increase in Rent is to be posted.

A copy of all letters sent to the tenants, and the rent review assessments for each tenant must be placed on the tenants' files.



Woomera Aboriginal Corporation

Where an Assessment finds a Tenant is No Longer Eligible for Housing

It should be noted that the Housing Officer is not permitted to terminate the lease of any tenant without the approval of the Management Board.

The Housing Officer should ascertain the current total income in the household and determine the tenants ongoing eligibility for social housing by applying the income limits in the NRAS guidelines or the Family and Community Services Social Housing Eligibility and Allocations Policy Supplement guidelines.

A tenant can be given up to twelve months to move to alternative accommodation depending on their circumstances. If the Management Board approves the termination of a tenants lease the Housing Officer is expected to assist the tenant to assess alternative housing options and to make applications if required.

Tenants' Right to Request a Review of a Decision to Terminate a Lease

Under Section 145 of the Residential Tenancies Act 2010, tenants have the right to apply to the landlord for a review of the decision to terminate their lease on grounds that they are no longer eligible to reside in the class of social housing to which the agreement applies.

Under Section 148 of the Residential Tenancies Act 2010, a community housing provider landlord can terminate a tenancy agreement when a tenant has rejected a reasonable offer of alternative community housing.

Also, Under Section 149 of the Residential Tenancies Act 2010, the tenant has the right to apply to the landlord for a review of a decision to terminate a tenancy agreement when they have offered the tenant a tenancy agreement for an alternative property to the one in which they currently reside.

1.5 RELEVANT GUIDELINES

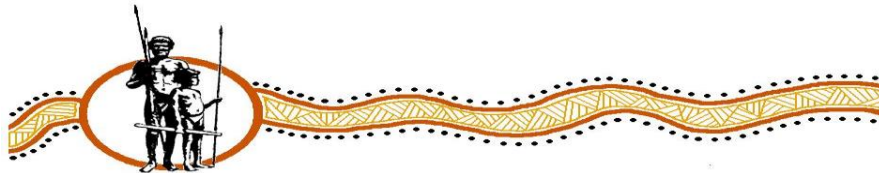
NSW National Rental Affordability Scheme (NRAS) guidelines
Build and grow CPI supplement for the rent policy,
Family and Community Services Social Housing Eligibility and Allocations Policy Supplement guidelines

1.6 RELATED POLICIES AND PROCEDURES

Housing Policy
Setting Initial Rents Policy and Procedures
Procedures – Allocation of Housing

Forms:

Letter 1 Requesting the Update of Contact Details and Income
Letter 2 Reminder Requesting the Update of Contact Details and Income
Letter 3 Final Request to Update Contact Details and Income
Rent Increase Notice
Notice of Intention to Terminate the Lease



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