



## Sustainable Tenancies for Tenants with Complex Needs

Policy Category	1. Tenancy	Policy Number	1.33
Author	Jennifer Townsend – Consultant	Board Approval Date	28 November 2019
Position Responsible	Housing Services Manager	Scheduled Review Date	November 2021

### Purpose:

The primary purpose of this policy is to provide guidance to client services staff to respond effectively to tenants with complex needs. It is anticipated such a response will create more sustainable and positive outcomes for tenants as they are able to successfully manage their tenancy. This document applies to all staff members of Homes Out West (HOW).

### Policy:

HOW aims to create homes and places where people want to live and to ensure that tenancies are sustainable.

HOW understands the importance of living in a secure environment – and how this enables people to flourish through education, employment and good health. We also understand the cost of tenancy breakdown – the personal, health, social and financial cost.

HOW's overall aim is to prevent tenancies from failing and this policy sets out our continued commitment and plans to deliver sustainable and successful tenancies that enable people to thrive, enjoy a better quality of life, and live in stable, strong and thriving communities.

HOW understands the complexity of needs tenants may experience. To ensure tenants are effectively supported to sustain their tenancies, it is critical that our staff are able to recognise how complex needs influence a persons' behaviour and how to respond appropriately to the range of needs impacting the well-being and potential autonomy of a tenant.

### Definitions:

**COMPLEX NEEDS:** A framework for understanding multiple, interlocking needs that span health and social issues. People with complex needs may have to negotiate a number of different issues in their life, for example learning disability, mental health problems, substance abuse. They may also be living in deprived circumstances and lack access to suitable housing or meaningful daily activity<sup>1</sup>.

<sup>1</sup> Centre for Training in Social Housing, (April 2017), CHCCCS004 Assess co-existing needs Participant Notes.  
Rankin, J. & Regan, S., 2004. Meeting Complex Needs: The future of social care, London: emphasis.publishing.co.uk

The following needs are considered as having a compounding effect: mental illness; substance misuse; hoarding; discrimination based on ethnicity and/or sexuality; domestic and family violence; history of homelessness; poverty; and history of involvement with the criminal justice system.

**SUSTAINABLE TENANCIES:** A sustainable tenancy is one that can be maintained successfully by the tenant throughout the life of the tenancy. For this to happen, certain conditions need to be in place; the property needs to be appropriate for their needs, the tenant needs to possess the skills required to maintain their tenancy and they need to meet their tenant responsibilities.

Relevant Service Standards:	<p>National Community Housing Standards</p> <ul style="list-style-type: none"> <li>• Standard 1.1 – Allocation of housing</li> <li>• Standard 1.2 – Establishing and maintaining tenancies</li> <li>• Standard 1.3 – Changing needs of tenants</li> <li>• Standard 1.4 – Ending tenancies</li> <li>• Standard 3.1 – Tenant Rights</li> <li>• Standard 3.4 – Access to services of the organisation</li> <li>• Standard 3.5 – Confidentiality and privacy</li> <li>• Standard 3.6 – Complaints and appeals</li> <li>• Standard 4.1 – Tenants’ access to support</li> <li>• Standard 4.3 – Providing housing information, advice and referral</li> </ul> <p>Legislation</p> <ul style="list-style-type: none"> <li>• Residential Tenancies Act 2010 (NSW)</li> <li>• Residential Tenancies Regulation 2010 (NSW)</li> <li>• Housing Act 2001</li> <li>• Community Housing Providers (Adoption of National Law) Act 2012 (NSW)</li> </ul> <p>National Regulatory System for Community Housing (NRSCH) Performance Outcome and Performance Requirement</p> <ul style="list-style-type: none"> <li>• Performance Outcome 1: Tenant and Housing Services</li> </ul>
Related HOW Policies:	<ul style="list-style-type: none"> <li>• Access and Allocations Policy</li> <li>• Establishing and Maintaining Tenancies Policies</li> <li>• Changing Needs of Tenants Policies</li> <li>• Ending Tenancies Policy</li> <li>• Tenant Rights Policy</li> <li>• Confidentiality and Privacy Policy</li> <li>• Complaints and Appeals Policies</li> <li>• Supporting Tenants Policies</li> <li>• Working with the Community Policy</li> </ul>
Related HOW Forms & Internal Documents:	<ul style="list-style-type: none"> <li>• Vulnerability Assessment Tool (VAT)</li> <li>• Independent Living Skills Assessment</li> <li>• Tenancy Response Plan Template</li> <li>• Tenancy Agreement NSW – Easy Read Guide</li> <li>• Support Agreement</li> <li>• Support Referral Register</li> <li>• Resource Directory</li> <li>• Home Visit Risk Assessment</li> </ul>

## **Procedure and Guidelines:**

HOW recognises the importance of effective tenancy management in providing homes and communities where people aspire to live and understand that well managed tenancies can provide a positive impact on the wider community.

HOW staff will utilise the pathways located in Appendix 1 to respond to tenants with complex needs.

HOW will undertake the following considerations and procedures when responding to applicants/tenants with complex needs:

### **APPROPRIATE PROPERTY ALLOCATIONS**

HOW believes that sustainable tenancies are created by allocating the right property to the right tenants where complex needs have been identified for the applicant. Our allocations team will ensure that all new tenants are allocated properties that maximise the opportunity to create a sustainable tenancy.

This will include contacting the applicant's support provider (if relevant) in relation to any proposed offer to the applicant (where appropriate consent has been provided by the applicant).

### **PREVENTION**

It is recognised that prevention strategies are more effective than reacting to issues once they develop.

Therefore, our allocations team will undertake a risk assessment process for all priority housing applicants at the point of allocation to build a detailed profile of the risks an applicant might have in creating a sustainable tenancy. This assessment will help to determine appropriate referrals that could be made prior to the lease sign up to assist the new tenant to prepare to move to their new accommodation and to maximise opportunities for a sustainable tenancy.

The following documents will assist the assessment:

- Support letters from service providers providing support to the applicant
- Letters and assessment forms from an applicants' clinical practitioners
- Vulnerability Assessment Tool (VAT)
- Independent Living Skills assessment (intended to be completed by the applicant's health professional or support worker).

The outcome of the risk assessment will be recorded in a Tenancy Response Plan to be handed over to the Client Services Officer (CSO) undertaking the lease sign up.

For applicants who have a history of debt and/or rental arrears, they will be encouraged to link in with financial counselling and/or financial management to assist with developing a budget and increase their budgeting skills. Establishing this prior to the tenancy commencing will assist the tenant to sustain their tenancy. Such referrals and agreement to link with support will be recorded in the Tenancy Response Plan.

### **LEASE SIGN UP**

HOW will provide information in an easy to read format (Tenancy Agreement NSW – Easy Read Guide), if this is considered appropriate/necessary, to assist new tenants

understand their responsibilities as a tenant and their requirement to meet tenancy obligations such as payment of rent on time and being a good neighbour. The new tenant will be encouraged to bring a support worker with them to the lease sign up in order to assist the tenant to understand what they can do to sustain their tenancy. The new tenant should be informed about what they should do if they experience difficulties sustaining their tenancy. This will involve informing their CSO and support worker if they are experiencing problems with their tenancy so strategies can be put into place to assist them.

The CSO undertaking the lease sign up will review the Tenancy Response Plan developed during the allocation stage and make any appropriate changes in consultation with the new tenant and the support worker.

New tenants who have a previous history of debt and/or rental arrears will be encouraged to link in with financial counselling and/or financial management to assist with developing a budget and increase their budgeting skills. Establishing this at the beginning of their tenancy will assist the tenant to sustain their tenancy. Undertaking an early intervention approach through discussion with the tenant about possible supports they might need and referral to relevant support services will assist the tenant establish a successful tenancy.

### TENANCY MANAGEMENT

In accordance with our Residential Tenancy Agreements and associated procedures, HOW will undertake a combination of tenancy management strategies to ensure tenants can be supported to sustain their tenancies and also remain an inclusive part of our communities.

HOW will conduct routine inspections to all properties in accordance with inspection procedures. There will be an inspection conducted within an agreed timeframe (typically 6 weeks) after the tenancy has commenced to determine if there are any early signs of tenancy issues and to reiterate the tenant's and landlord's rights and responsibilities as per the Residential Tenancy Agreement. In addition to assessing the condition of the property, the routine inspections will allow HOW to determine whether there are any tenancy issues; discuss any concerns the tenant may have; and refer tenants to any relevant services to help sustain the tenancy.

When an issue has been identified as placing the tenancy at risk, the CSO will make a referral to the relevant support provider. The Tenancy Response Plan will be reviewed and modified to outline the response/s to the identified tenancy issues. Future tenancy visits to monitor the progress of the tenancy may be included in the Tenancy Response Plan and should be agreed to by the tenant.

### SUPPORTING TENANCY SUSTAINABILITY

HOW understands that some tenants will need support for varying amounts of time to enable them to establish and sustain a tenancy. HOW has a range of partnerships with local support services that enable a collaborative plan to be established with the tenant to assist them with this goal. HOW will enter into a formal Support Agreement with the tenant and relevant support provider when a tenancy is identified as being complex and/or at risk.

Tenants may present with a range of needs throughout their tenancy. HOW will assess the needs of tenants and develop a response based on a tenant's individual needs. The Vulnerability Assessment Tool (VAT) will be used to determine the severity and

likelihood of a tenancy being at risk. The information can be used to indicate the tenants' vulnerability for sustaining their tenancy.

Based on the VAT outcomes HOW will collaborate with the tenant and support providers to develop or modify a Tenancy Response Plan to address the identified risks/needs. The response plan will outline the required response/s to manage the identified risk/s and articulate the required interventions if the risk escalates.

The response plan will be implemented in consultation with all stakeholders and regularly monitored according to the changing needs of the tenant.

### IMPROVED FINANCIAL AND ECONOMIC STABILITY AMONGST OUR TENANTS

HOW is committed to supporting tenants to manage their finances and meet their debt commitments. HOW will promote a rent first approach that focuses on providing early advice and support to ensure tenants do not fall into arrears and that any enforcement action is proportionate.

HOW has a range of strategies in place to support financial inclusion for tenants. A 'payment culture' will be fostered and tenants with identified complex needs (particularly those tenants that have a previous history of rent arrears/debt), will have regular direct contact (face to face/phone) during the first three months of their tenancy to establish a good rent payment habit. This process will continue for any tenants who have been identified as experiencing financial difficulties in paying their rent and other charges. Early, swift and direct contact will be made with the tenant once arrears are detected.

Tenants will be encouraged to contact HOW if they are having trouble paying their rent. Tenants who are identified as being vulnerable to rental arrears will have a tailored approach in accordance with their needs. This approach will be outlined in the Tenancy Response Plan.

Such a plan will include HOW working with other services and partners to provide appropriate support services.

Tenants will be empowered through the provision of information, advice and support to determine how to address their rental arrears.

Strategies to assist tenants experiencing financial difficulties will include:

- Checking to ensure that the tenant is receiving the full amount of Commonwealth Rent Assistance (CRA) that they are entitled to
- Information and referral to appropriate financial counselling (including informing the tenant that linking in with financial counselling is about more than sustaining their tenancy, it's to assist with their financial life)
- Realistic and achievable repayment plans will be established – which could include the involvement of other support workers/financial counsellor assisting to determine the amount the tenant can realistically afford
- Providing information and referral to local brokerage programs if there are other non-rental aspects of the tenants' finances that could be addressed through brokerage.

### TRAUMA INFORMED CARE APPROACH

HOW will use a trauma informed approach to assist tenants to sustain their tenancy. Trauma informed care acknowledges the impact of trauma in a person's life and aims to

reduce the likelihood of re-traumatisation through practice. Such practice supports a person to work towards empowerment by focusing on the person's strengths and promoting choice.

### IMPROVED UNDERSTANDING OF TENANCY FAILURE AND ITS CAUSES

HOW seeks to understand the experiences of tenants who struggle to sustain their tenancies to support a quality review mechanism that strengthens service delivery practices.

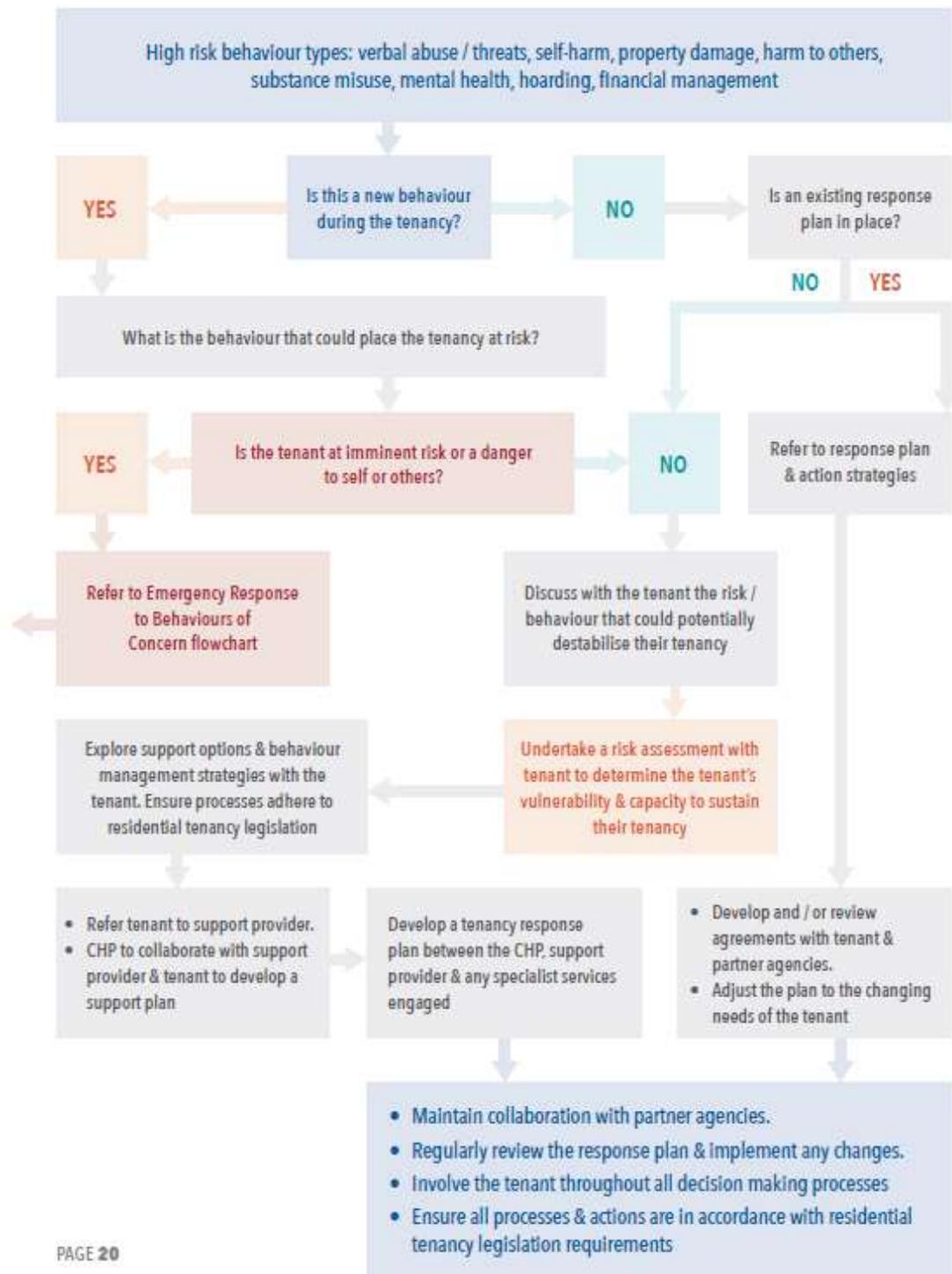
During the tenancy, information will be collected to ensure that accurate and up to date records are maintained in relation to all tenants and other household members. Details in relation to support needs will also be collected. This information will inform our review of tenancy failures to determine the reasons why tenancies don't succeed and establish any reviews/changes that may be appropriate to our policies and procedures to improve tenant sustainability.

## APPENDIX 1 – Pathways

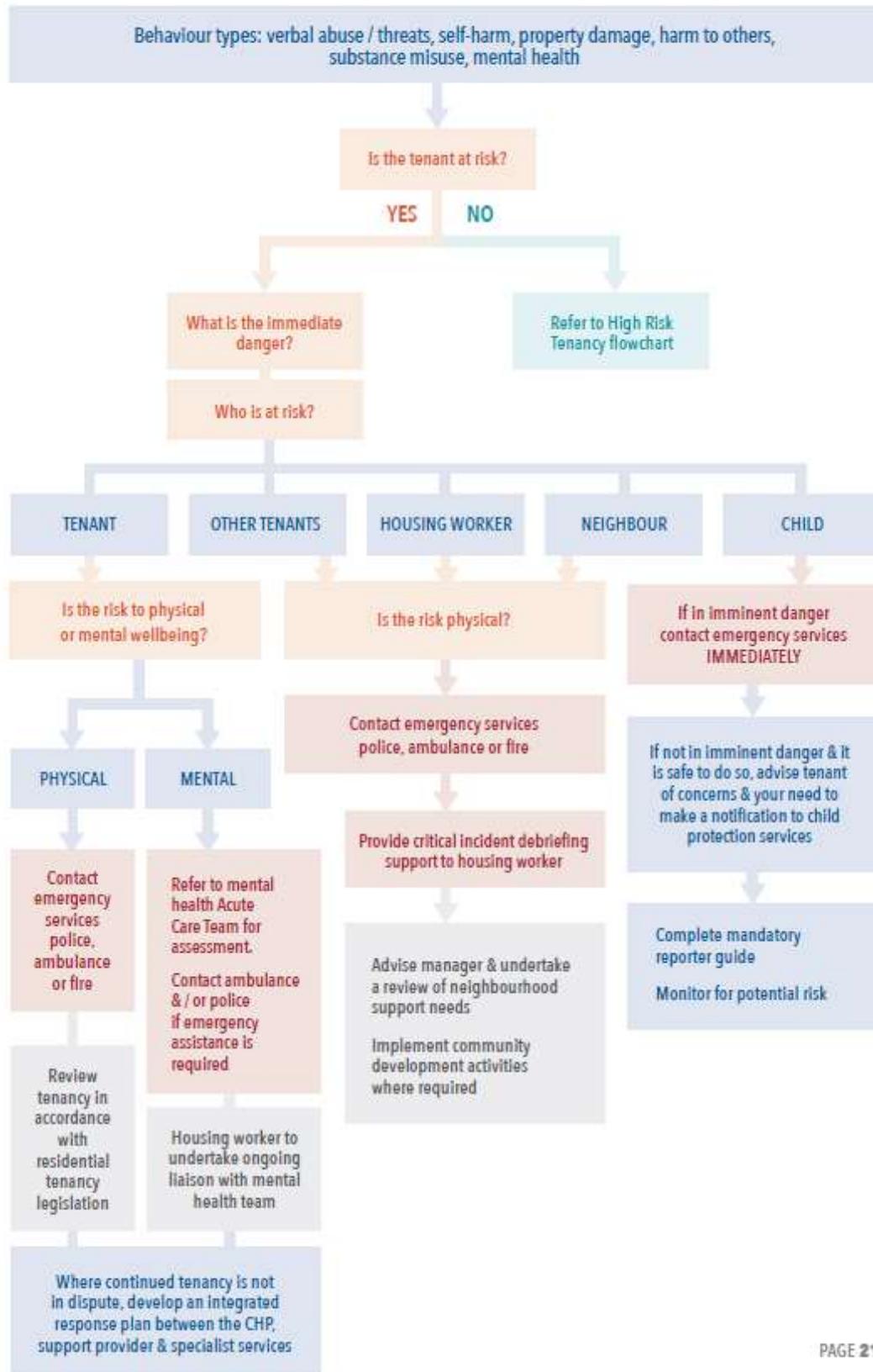
### MODEL FOR PREVENTING FAILED TENANCIES AND FOR CREATING AND SUSTAINING SUCCESSFUL TENANCIES



## COMMUNITY HOUSING RESPONSE TO HIGH RISK TENANCIES



## EMERGENCY RESPONSE TO BEHAVIOURS OF CONCERN (BOC) FOR CHPS



**PATHWAY TO GUIDE PRACTICE WHEN A TENANT WITH COMPLEX NEEDS REFUSES TO ENGAGE WITH SUPPORT SERVICES**

