



## Covid-19 Pandemic Response

Policy Category	1. Tenancy	Policy Number	1.37
Author	Cliff Jones – Chief Executive Officer	Board Approval Date	25 June 2020
Position Responsible	Housing Services Manager	Scheduled Review Date	December 2020

### Purpose:

This Policy sets out Homes Out West's (HOW) response to the COVID-19 Pandemic in the following areas:

- The March/April 2020 Rent Review
- Arrangements for calculating the rent of a tenant or household
- Negotiations where a tenant is in debt to HOW
- Criteria for eviction
- Hardship provisions for tenants affected by COVID-19
- Property Inspections
- Responsive Maintenance

This policy applies to all HOW tenants.

### Policy:

HOW has implemented a range of strategies that are consistent with those implemented by the NSW Department of Communities and Justice (DCJ) to ensure that the impact on tenancies by the COVID-19 pandemic is minimised.

Service Contractual requirements and Legislation	Standards,	<p><u>National Community Housing Standards</u></p> <ul style="list-style-type: none"> <li>• 1.2 Establishing and maintaining tenancies</li> <li>• 1.4 Ending tenancies</li> <li>• 4.1 Tenants' access to support</li> </ul> <p><u>National Regulatory System for Community Housing (NRSCH) Performance Outcomes</u></p> <ul style="list-style-type: none"> <li>• Performance Outcome 1: Tenant and housing services</li> <li>• Performance Outcome 7: Financial viability</li> </ul> <p><u>Contractual requirements</u></p> <ul style="list-style-type: none"> <li>• NSW Community Housing Rent Policy</li> </ul> <p><u>Legislation</u></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</li> </ul>
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	National Law) Act 2012 (NSW)
Homes Out West Policies	<ul style="list-style-type: none"> <li>• Rental Management</li> <li>• Ending Tenancies</li> <li>• Responsive Maintenance</li> <li>• Property Inspections</li> </ul>

## **Procedure and Guidelines:**

### Postponement of the March/April Rent Review

The March/April Rent Review is postponed indefinitely and may be cancelled. Under the Community Housing Rent Policy rent reviews are required to be undertaken by Community Housing Providers every 6 months. The cancellation is consistent with actions taken by DCJ in relation to their scheduled April 2020 subsidy review, now cancelled, and therefore ensures equitable treatment of Social Housing tenants regardless of their Social Housing landlord.

Accordingly, rents for HOW tenants may be fixed until the September/October 2020 review unless:

- An existing tenant provides information that requires re-calculation of the rent – for example, where the tenant advises that their income has decreased directly due to the impacts of COVID-19
- The wages of a tenant or household member increases (whether they are receiving JobKeeper or not)
- It is a new tenancy
- The household structure changes – for example, additional occupants are approved
- The tenant formally requests a new rent calculation

### Modifications to the calculation of Rent Reviews

Rent calculations will continue to comply with the NSW Community Housing Rent Policy. COVID-19 related additional payments will be assessed as follows:

- One-off \$750 Economic Support Payment is non-assessable
- JobSeeker allowance – \$550 per fortnight Coronavirus Supplement is non-assessable
- JobKeeper payments – \$550 per fortnight payment will be non-assessable which will reduce the assessable income amount to \$950 per fortnight
- Money accessed early from superannuation due to COVID-19 – people financially affected by COVID-19 may be able to access some of their superannuation early (up to \$10,000 in 2019 – 20 and up to a further \$10,000 in 2020 – 21. Where a tenant or household member does this, the money (including any interest accrued) will not be included as assessable income.

### Arrears Repayment Plans

For those tenants with current repayment plans due to debt incurred prior to the COVID-19 Pandemic, those repayment plans should remain the same unless the tenant can demonstrate negative changes to their financial circumstances.

For those tenants with debts that have been incurred during the COVID-19 Pandemic, arrears repayments will be limited to 2% of gross income unless the tenant is willing to enter into a payment plan in line with established HOW schedules. Gross income will not include any COVID-19 specific non-assessable income as outlined above.

#### Modifications to eviction criteria

A tenant will not be evicted on the basis of failure to pay rent provided that:

- The non-payment results from the effects of COVID-19
- The tenant agrees to enter a payment plan with HOW
- The tenant agrees to subscribe to Centrepay or a similar automatic payment system
- The tenant adheres to the arrangements.

Where a tenant has entered into a repayment plan and fails to adhere to those arrangement, HOW will take immediate steps:

- To determine whether a new arrangement is appropriate having regard to the tenant's current circumstances; and/or
- To make an application to the NSW Civil & Administrative Tribunal for enforcement of the arrangement by a Specific Performance Order, or for termination of the tenancy.

#### Hardship provision

During the COVID-19 Pandemic, tenants may experience loss of employment. Where this occurs and the tenant is not in receipt of Centrelink benefits or alternative income, HOW will reduce their rent to \$5 per week until the household is in receipt of Centrelink benefits or alternative income.

#### Property inspections

In order to minimise the risk of exposure to COVID-19 for tenants and HOW staff, routine property inspections are postponed indefinitely and the need to conduct them will be reviewed regularly.

Inspections of high-risk tenancies such as those with a history of poor property care will still be carried out where possible in accordance with HOW's COVID-19 Safety Plan.

#### Responsive maintenance

In order to minimise the risk of exposure to COVID-19 for tenants and trades contractors, the Asset Manager will assess responsive maintenance requests in consultation with Client Services Officers and tenants where appropriate and determine whether work is urgent and is required to be completed immediately.

Work that is not required to be completed immediately will be postponed and the tenant notified.

#### General considerations

Client aware practice: HOW shall determine an adequate balance between the need to protect income through rent collections, and the need to adjust for the needs and capabilities of our tenants who may have suffered significant life trauma.

Document management: Records relating to any actions taken under this policy must be appropriately retained by attaching them to the relevant tenancy record within Greentree wherever possible.