



Policy Logistics	
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Applies to:	Registered community housing providers
Implementation date:	
Issued by:	Renewal SA on behalf of the SAHT
Delegated authority:	Fairlie Delbridge, General Manager, Strategy & Innovation
Policy custodian:	Joe Noone, Manager, Industry Partnerships
Due for review:	2017
Confidentiality:	Public
SA Strategic Plan:	An affordable place to live

## Community Housing Core Operating Policy

### Tenant Allocations and Tenure

## 1. Overview

### 1.1. Intent

This policy, and the related procedure, outlines the responsibilities of **community housing providers** in making tenancy offers and allocations to registrants from the Community Housing Customer Register (CHCR) and in determining a tenant's lease arrangements.

### 1.2. Context

Community housing tenants are subject to the lease arrangements set out in their tenancy agreement with their community housing provider.

The policy settings of this document inform the *Community Housing Core Operating Procedure – Registering Community Housing Customers and Managing Vacancies*.

### 1.3. Scope

This policy applies to tenant allocations to properties subject to or bound by a **Community Housing Agreement** ('the Agreement') between a community housing provider and the South Australian Housing Trust (SAHT), unless otherwise outlined in project agreements.

This policy does not apply to internal tenant transfers within individual community housing provider portfolios.

### 1.4. Risk

Community housing providers manage a portfolio of properties. These properties may have different contract requirements. This policy ensures community housing providers select tenants appropriately and apply lease conditions in accordance with contract requirements.

## 2. Definitions

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### Community housing

Housing delivered by registered community housing providers for people on a low or moderate income or for people with additional needs

### Community Housing Agreement

The agreement entered into between the South Australian Housing Trust (SAHT) and a community housing provider, pursuant to section 20 of the *Community Housing Providers (National Law) (South Australia) Act 2013* and includes:

- The *Master Community Housing Agreement* including all attachments, annexures and schedules to it; and
- Any agreement, deed or instrument executed under or which is subject to or bound by the *Master Community Housing Agreement* (including but not limited to project agreements, deeds of statutory charge and pre-existing agreements).

### Community Housing Customer Register (CHCR)

The register of that name which comprises a list of persons seeking access to community housing (or any replacement register determined by South Australian Housing Trust (SAHT) maintained by SAHT).

### Community housing provider

An entity that provides community housing and is registered under the *Community Housing Providers (National Law) (South Australia) Act 2013*.

### Tenant type

The type of tenant allocated to a specific project property. Tenant types include:

- (a) General tenants - persons who meet the SAHT Base Eligibility Criteria and the income, assets and/or needs test as defined in the *Community Housing Eligibility Policy*;
- (b) Supported tenants - persons who meet the income, assets and/or needs test as defined in the *Community Housing Eligibility Policy* AND have an package of support approved by SAHT; and
- (c) Affordable tenants – persons who meet the SAHT Base Eligibility Criteria and the prescribed income tests as defined in the *Community Housing Eligibility Policy*.

### Volunteer member-tenant managed provider

A community housing provider which is incorporated under the *Associations Incorporation Act 1985* (SA) or the *Co-operatives National Law (South Australia) Act 2013* and which does not engage any paid staff or officers, but operates solely on a volunteer tenant member managed basis.

### 3. Policy Detail

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#### 3.1. Selection of tenants

Community housing providers must use the Community Housing Customer Register (CHCR) to select eligible tenants for properties subject to or bound by a *Community Housing Agreement* between a community housing provider and the SAHT, unless otherwise outlined in project agreements.

#### 3.2. Tenure arrangements

Community housing providers must document their internal policy regarding tenure arrangements. Tenants allocated through the Supportive and/or Supported Housing Programs may have particular tenure arrangements.

Refer to: *Supportive Housing Program Guidelines* and *Supported Housing Program Guidelines*.

##### 3.2.1. Probationary lease

All new tenancies to which this policy applies will commence with a probationary lease of up to 12 months, unless a specific term is required as a condition of program funding.

Community housing providers may elect to set a further probationary lease, for example where tenancy issues have arisen during the probationary period.

Tenants must be advised in writing of their probationary lease arrangements.

##### 3.2.2 Fixed term lease

A fixed term tenancy will be offered to each tenant who has successfully completed their probationary period.

Fixed term leases may be set for no longer than ten years.

Tenants of ***volunteer member-tenant managed providers*** are not required to have fixed term leases. Members of ***volunteer member-tenant managed providers*** which merge into another community housing provider may keep their existing lease arrangements where this has been agreed in merger negotiations.

### 4. Aboriginal Impact Statement Declaration

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The needs and interests of Aboriginal people have been considered in the development of the policy. It is considered that the policy has no direct or indirect impact on Aboriginal people.

## 5. Resources

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### 5.1. Directive documents

- *Community Housing Agreement*
- *Community Housing Core Operating Policy – Eligibility*
- *Community Housing Providers (National Law) (South Australia) Act 2013*
- *National Regulatory System Community Housing - Regulatory Framework*
- *Residential Tenancies Act 1995 (SA)*

The program policies listed below apply to the nomination, assessment, allocation and tenure of tenants matched to **supported tenant** types:

- *Homelessness - Supportive Housing Program Policy*
- *Mental Health- Supported Social Housing Properties Policy*

### 5.2. Supporting documents and resources

- *Community Housing Core Operating Procedure – Registering Community Housing Customers and Managing Vacancies*
- *Community Housing Customer Register User Manual*

The program guidelines listed below apply to the nomination, assessment, allocation and tenure of tenants matched to supported tenant types:

- *Supportive Housing Program Guidelines - Homelessness*
- *Supportive Housing Program Guidelines – Ex-Institutional Adults*
- *Supported Housing Program Guidelines – Mental Health*

## 6. Policy Approval

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<b>Content Author:</b> Date:	<b>Policy Custodian:</b> Date:	<b>Delegated Authority:</b> Date:
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## 7. Version Record

Version number	Version date	Change description	Principal change author
1.0	June 2015	Final draft of <i>Community Housing Core Operating Policy - Tenant Allocations and Tenure</i>	Lynley Street