

# Community housing rent policy

## The purpose of this policy

Community housing providers registered under the [Community Housing Providers \(National Law\) \(South Australia\) Act 2013](#) offer accommodation for tenants in both the social housing and affordable housing rental market. This rent policy provides an overarching framework for setting rents based on Tenancy Type (see “Policy Details” below) across a community housing provider’s property portfolio. Rent setting methodology, to which community housing providers must adhere, is specified in the following directive documents:

Addendum 1: Community Housing Rent Procedure for General Tenancies

Addendum 2: Community Housing Rent Procedure for Supported Tenancies

Addendum 3: Community Housing Rent Procedure for Affordable Tenancies

Addendum 4: Community Housing Rent Procedure for NDIS-SDA Tenancies

This policy applies to:

- community housing tenants living in properties subject to or bound by a Community Housing Agreement between a community housing provider and the South Australian Housing Trust (SAHT) including the Master Community Housing Agreement (Master Agreement) and Project Agreements,
- New Tenants (Tenancy Type 3) under the Renewing Our Streets and Suburbs (ROSAS) Housing Transfer Management Deed
- New Tenants (Tenancy Type 3) under the Better Places Stronger Communities (BPSC) Housing Transfer Management Deed
- any other agreement or lease which specifically states this policy is to be applied.

To ensure ongoing compliance with policies and procedures, SA Housing Authority will employ a variety of approaches, which may include:

- regular audits,
- matching to data submitted as part of the Annual AIHW Data Collection.

## Policy Intent

Rent is set at an affordable level for low income households.

Rent is set in the same manner across the community housing sector, allowing some greater flexibility for community housing providers in Affordable Tenancy Types in particular.

Rent is set in a manner that is not administratively burdensome.

Where relevant, rent is set consistent with National Disability Insurance Scheme (NDIS) provisions to maximise Specialist Disability Accommodation (SDA) funding.

## Policy details

The rent methodology will depend on the Tenancy Type assigned by the community housing provider at the point of offer (apart from exceptions as outlined below under ‘Exceptions’). Under the Master Agreement, and the Housing Transfer Management Deeds where applicable, the Portfolio Profile outlines the required number of each Tenancy Type which the Community Housing Provider must meet across its entire Portfolio (e.g. a portfolio of 105 properties might stipulate 80 General, 20 Supported and 5 Affordable Tenancy Types). A

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tenant may be *eligible* for more than one Tenancy Type given their circumstances. The CHP must *assign* a Tenancy Type to each tenancy, being cognisant of the Portfolio Profile obligations set out in the [Master Agreement](#).

### General Tenancy Type

Community housing providers must assess and set rent for General Tenancy Types in accordance with the *Community Housing Rent Procedure for General Tenancies*.

To be eligible to be assigned to a General Tenancy Type, tenants must meet the [SAHT Eligibility Criteria](#) as defined in the [Community Housing Eligibility Policy](#).

### Supported Tenancy Type

Community housing providers must assess and set rent for Supported Tenancy Types in accordance with the *Community Housing Rent Procedure for Supported Tenancies*, which spells out that Supported Tenancy Types include Supportive and Supported housing program tenancies and specialised housing programs where relevant.

To be eligible to be assigned to a Supported Tenancy Type:

- A tenant must meet the [SAHT Eligibility Criteria](#) as defined in the [Community Housing Eligibility Policy](#) AND
- The tenant must have an eligible package of support as defined in [Community Housing Rent Procedure for Supported Tenancies](#) AND
- The support package must correspond to one of the Tenancy Type Sub-Categories listed in the CHP's Portfolio Profile under the [Master Agreement](#).

Not all tenants who have support will be eligible for a Supported Tenancy Type rent calculation. Where the package of support is not one of those listed as eligible, or where the CHP is not contracted under the Master Agreement or ROSAS Housing Transfer Management Deed to provide housing for that type of support package, the tenancy should be considered a General Tenancy Type (provided it meets relevant eligibility criteria for that Tenancy Type).

### Affordable Tenancy Type

Community housing providers must assess and set rent for Affordable Tenancy Types in accordance with the *Community Housing Rent Procedure for Affordable Tenancies*.

To be eligible to be assigned to an Affordable Tenancy Type, a tenant must meet the [SAHT Eligibility Criteria](#) as defined in the [Community Housing Eligibility Policy](#).

### Specialist Disability Accommodation Tenancy Type

Where SDA funding is received by a tenant under the National Disability Insurance Scheme, community housing providers must set rents according to the *Community Housing Rent Procedure for NDIS-SDA Tenancies*, consistent with NDIS requirements. To be eligible to be assigned to an SDA Tenancy Type, a tenant must meet the SAHT Base Eligibility Criteria and must receive SDA funding from the National Disability Insurance Scheme (NDIS).

### Exceptions

The Master Agreement provides for Project Agreements to stipulate special conditions under special circumstances. In the rare instance that a Project Agreement agrees to override this Rent Policy, it will clearly articulate that agreement in the special conditions.

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Pre-existing Agreements under the Master Agreement may have stipulated different rent setting (and eligibility) requirements. Unless the CHP and the SA Housing Authority have acknowledged in writing the intent to adopt those historical terms in any replacement Project Agreement as a result of applying Clause 13 of the Master Agreement, this Rent Policy and its Procedures is to be applied.

### Risk statement

If the rent payable by a tenant is not set in accordance with this policy and its directive documents the affordability of rent for tenants is potentially compromised.

### Related information

#### Controlling documents

This policy is based on and complies with:

- [Community Housing Providers \(National Law\) \(South Australia\) Act 2013](#)
- *National Regulatory System Community Housing - Regulatory Framework*
- *Residential Tenancies Act 1995 (SA)*

#### Supporting attachments

- Addendum 1: Community Housing Rent Procedure for General Tenancies
- Addendum 2: Community Housing Rent Procedure for Supported Tenancies
- Addendum 3: Community Housing Rent Procedure for Affordable Tenancies
- Addendum 4: Community Housing Rent Procedure for NDIS-SDA Tenancies

#### Related policies and other documents

- [NDIS Terms of Business for Registered Providers](#)
- [Community Housing Policy – Eligibility](#)
- [Community Housing Procedure – Eligibility](#)
- Housing Transfer Management Deeds
- [Community Housing Agreement \(Master Agreement\)](#) - An 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* 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).
- See [the NDIS website](#) for more information.

#### Date this policy applies from

16 May 2019

#### Version number

1

The online version of the policy is the approved and current version. There is no guarantee that any printed copies are current.