



# People with Complex Housing History Policy

## Purpose

To outline how we (The Department of Communities) will help people address barriers to accessing housing assistance resulting from a complex housing history with us.

## Scope

This policy relates to you, if you have had a complex housing history and you want to apply for public housing assistance.

## Definitions

<b>Disability</b>	Disability, which is attributable to an intellectual, cognitive, neurological, sensory, psychiatric, or physical impairment.
<b>Family and Domestic Violence</b>	An ongoing pattern of behaviours intended to coerce, control or create fear within a family or intimate relationship. This includes physical, financial, emotional, or psychological abuse, sexual violence, neglect, intimidation or any other behaviour which causes the victim to live in fear.
<b>Fixed Term Tenancy</b>	A tenancy with a specified end date, used to assist a person who has compromised a previous public housing tenancy, to transition back into public housing or remain in public housing where an existing tenancy has ended.
<b>Periodic Tenancy</b>	A tenancy with no end date.
<b>Priority housing need</b>	<p>The applicants' circumstances dictate that their requirement for social housing is of higher priority than those without a priority housing need. Their access to housing will be prioritised based on their individual circumstances and requirements.</p> <p>This includes requests to transfer to an alternative public or community housing property.</p>

<b>Public housing assistance</b>	Applying to rent a public housing property.
<b>Senior Delegated Officer</b>	A Regional Manager or above.
<b>Third Party</b>	<ul style="list-style-type: none"> <li>• Family member or friend</li> <li>• Support worker/agency</li> <li>• Medical professional</li> <li>• A Communities' employee who has previously assisted the person</li> <li>• Court officer or legally appointed guardian.</li> </ul>

## Policy statements

### 1. Complex housing history

You may be considered to have a complex housing history if your actions have resulted in:

- a. unpaid debts to the Housing Authority, of \$5,000.00 or more.
- b. a conviction resulting from intentional, significant damage (including fire) to a public housing property.
- c. dangerous and/or illegal activity that led to a conviction of someone living at a public housing property which impacted on the safety or security of people or the property and resulted in termination of the tenancy.
- d. a conviction for an offence amounting to the operation, or intent to operate, a drug laboratory from a public housing property.
- e. people consistently being put at risk, due to your behaviour.
- f. court ordered eviction from a public housing property.

### 2. Application review

If you have a complex housing history, you can still apply for public housing assistance. We will review your application to consider anything that might have led to the complex history, including:

- a. family and domestic violence
- b. disability
- c. mental illness
- d. cultural and family obligations.

If we identify that you have a historical tenant liability debt accrued on or after the 1<sup>st</sup> of April 2022, that is related to being a victim-survivor of Family and Domestic Violence, this debt may be waived.

We will also consider:

- e. the safety and wellbeing of children who are in or are about to come into your care.
- f. your current circumstances.

We may need to talk to you about your circumstances. If you are not comfortable or are unable to talk to us, you can give us permission to talk to a third party who has your written consent to share your information with us.

### **3. Applicants with a priority housing need**

If you have a complex housing history and a priority housing need, we will assess your application under the Priority Housing Need Policy.

### **4. Conditional housing assistance**

To be allocated a public housing property under this policy, you may be required to:

- a. while on the waitlist, repay money you owe to the Housing Authority. You can pay this in small repayments over time.
- b. engage in a support program that will help you manage a future tenancy.
- c. enter into a 6-month, fixed term tenancy agreement when you move into a new rental property.

### **5. Fixed Term Tenancies**

If we ask you to sign a 6-month fixed term tenancy agreement, we will provide you details of what you need to do during the tenancy so you can transition to a periodic tenancy. This will include; however is not limited to:

- a. paying your rent and other tenancy accounts on time.
- b. keeping your home and yards clean and tidy.
- c. making sure the behaviour of you, your householders and visitors does not cause unreasonable disturbance to neighbours.

If you substantially achieve the requirements outlined in the written explanation, you will either:

- a) transition to a periodic tenancy at the end of the fixed term tenancy period, or
- b) be placed on a further 6-month fixed term tenancy before transitioning to a periodic tenancy.

We reserve the right to terminate the tenancy at the end of the Fixed Term Tenancy should the requirements not be met.

## 6. Decline of housing assistance

We may decline your application for housing assistance or to allocate a property to you because we have assessed that you are likely to pose a significant risk to our houses or the community. This includes:

- a. that you are likely to intentionally or recklessly cause significant damage (including fire) to a public housing or Communities property.
- b. that you are likely to become involved in dangerous and/or illegal activity at a public housing property which would impact on the safety or security of people or the property and result in termination of a future tenancy.
- c. that you are likely to become involved in the operation of, or intention to operate, a drug laboratory from a public housing property.
- d. that you are likely to intentionally commit any other act that will pose a significant risk to our, houses, people, or the local community.
- e. that you are likely to repeat previously displayed patterns of behaviour or allow others to do so that would place people at risk.

An outstanding debt to the Housing Authority does not preclude you from being accepted onto the Housing Waitlist.

## 7. Decision making

A decision to decline housing assistance due to a complex housing history can only be made by a senior delegated officer.

If your application for housing assistance or allocation of a property is declined, the reasons will be provided to you in writing. You can appeal a decision to decline housing assistance, under the Housing Appeals Mechanism Policy.

If your application is declined due to a complex housing history, you can reapply after 12 months.

## Related legislation

- *Housing Act 1980*
- *Residential Tenancies Act 1987*
- *Residential Tenancies Regulations 1989.*

## Related policies

- Family and Domestic Violence Policy
- Priority Housing Need Policy
- Tenancy Management Policy

- Housing Appeals Mechanism Policy
- Application Management Policy
- Eligibility Relating to Applicants with a Debt to the Housing Authority Policy
- Disruptive Behaviour Management Policy

## Document control

<b>Publication date</b>	January 2025
<b>Review date</b>	January 2028
<b>Owner</b>	Executive Director – Statewide Services
<b>Custodian</b>	Director - Housing Practice and Support

## Amendments

Version	Date	Author	Description
3	January 2025	Senior Operational Improvement Officer	<p>Change of policy name.</p> <p>Expansion of the table of definitions.</p> <p>Clarification that debts will not prevent an applicant being added to the waitlist.</p> <p>Insertion of information on the application review process.</p> <p>Removal of references to interactions with staff.</p> <p>Clarification on conditional housing assistance.</p> <p>Inserted information on 6 month fixed term tenancies.</p> <p>Refusal of Housing Assistance, changed to Decline of Housing Assistance. Expanded to cover allocations</p> <p>Inserted the option for a declined applicant to reapply for assistance after 12 months.</p>

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Description</b>
2	May 2022	Senior Operational Improvement Officer	Removal of incorrect information, indicating the conditions placed on approval are appealable
1	March 2022	Senior Operational Improvement Officer	New policy separated from Rental Policy Manual. Refined policy statements and removed procedural guidelines as per Rental Policy Manual