

# Tenancy Management of Community and Crisis Housing Properties - Council Policy

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<b>Policy Owner</b>	Facilities Manager
<b>Link to Corporate Plan</b>	Great Liveability
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<b>Related Legislation</b>	<i>Residential Tenancies and Rooming Accommodation Act 2008</i> <i>Housing Act 2003</i> <i>Animal Management (Cats and Dogs) Act 2008</i> <i>Housing Regulation 2003</i> <i>Queensland Government Benchmark for Affordable Housing Rents</i>
<b>Related Documents</b>	<i>Western Downs Regional Council Local Laws</i> <i>Carinya Retirement Village Tenancy Application Form</i> <i>Tara Crisis Accommodation Contract</i> <i>Tenancy Management of Council Owned/Leased Housing - Council Policy</i> <i>Standard Work Practice - Tenancy Management of Community and Crisis Housing Properties</i> <i>Department of Housing and Public Works' Social Housing Tenancy Management Policy</i> <i>Department of Housing and Public Works' Social Housing Eligibility Criteria</i> <i>Department of Housing and Public Works' Allocations Policy for Funded Social Housing Providers</i>

<b>Policy Version</b>	<b>Approval Date</b>	<b>Adopted/Approved</b>
1	20/11/2013	Ordinary Meeting of Council
2	07/11/2015	Ordinary Meeting of Council
3	24/10/2018	Ordinary Meeting of Council

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## 1. PURPOSE

The purpose of this Policy is to coordinate the tenancy and property management of Council owned or auspiced Community and Crisis Housing properties which have been provided to accommodate the elderly, disabled and disadvantaged.

## 2. SCOPE

This policy will apply to tenant/s who rent a Community Housing property, whether it be Council auspiced Community Housing, Council Owned Community Housing or Crisis Housing. (This Policy does not apply to all other types of Council Owned or Leased Housing)

## 3. POLICY

### 3.1 Tenancy Arrangements

3.1.1 All tenant/s residing in Community Housing properties, whether it be Community or Social Housing or Council Owned Community Housing, must comply with provisions of the *Residential Tenancies and Rooming Accommodation Act 2008*.

3.1.2 The document "Managing general tenancies in Queensland", available from the Residential Tenancies Authority (RTA) or online from their website, outlines all requirements for both the people residing in Council housing (Tenant/s) and for Council (Lessor).

3.1.3 It is the responsibility of both the tenant/s and the lessor that all legislative requirements are met when entering into an agreement to rent a Community Housing property.

3.1.4 The policy will come into effect at the commencement of the next lease immediately following its adoption.

### 3.2 Housing Eligibility

To be eligible for the following categories of housing, a prospective tenant must meet the following criteria -

#### 3.2.1 Community Housing -

To be eligible for a Community Housing Property, applicants must meet the eligibility criteria as set by the Department of Housing and Public Works. Prospective tenants must complete the necessary applications at their local Housing Service Centre (QGAP or Neighbourhood/Community Centre) or online.

#### 3.2.2 Council Owned Community Housing -

Prospective tenants applying for Council Owned Community Housing must have completed an application and be accepted as being eligible with Council prior to the property becoming vacant. In some cases applicants on the Community Housing shortlist may be approached to rent these premises.

#### 3.2.3 Crisis Housing -

Applicants for Crisis Housing are dealt with on a case-by-case basis. Initially, the applicant/s complete an application and are assessed by staff at Western Downs Regional Council. Once



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accepted, Crisis Housing Tenants then must enter into a Contract between themselves and Council.

## 3.3 Housing Ineligibility

Should a prospective tenant not meet a requirement as set out for the following categories of housing they will be deemed ineligible -

### 3.3.1 Community Housing -

Applicants who fail to meet the eligibility criteria of the Department of Housing and Public Works will be deemed ineligible to tenant a Community Housing property.

### 3.3.2 Council Owned Community Housing -

Prospective tenants who have not completed an application or do not meet the criteria provided will not be eligible for Council Owned Community Housing. Furthermore, applicants who either directly or indirectly own a private premises within 100km of the premises they wish to rent shall be deemed ineligible unless they can provide sufficient evidence that they have undertaken steps to sell the premises.

### 3.3.3 Crisis Housing

Ineligibility for Crisis housing will be dealt with on a case-by-case basis. Applicants must be able to show a very high need for such accommodation. Staff at Council, will determine whether prospective tenants are eligible.

## 3.4. Allocation of Housing

In order to ensure housing is allocated in a fair and un-biased fashion, the following guidelines have been established for each category of housing -

### 3.4.1 Community Housing

When a Community Housing property becomes vacant, Council's Facilities Staff notify the Department of Housing and Public Works which then provides a shortlist of eligible applicants. A three person panel appointed by the Chief Executive Officer from the Council's Facilities Department (2 staff) and Health Services Department (1 staff) will then meet to determine the successful applicant. In some cases this panel may decide to interview prospective tenants to ensure the most suitable applicant is chosen.

### 3.4.2 Council Owned Community Housing

When a Council Owned Community Housing property becomes vacant, Council's Facilities Staff will assess a shortlist of eligible applicants. A three person panel appointed by the Chief Executive Officer from the Council's Facilities Department (2 staff) and Health Services Department (1 staff) will then meet to determine the successful applicant. In some cases this panel may decide to interview prospective tenants or consult with Local Service providers to ensure the most suitable applicant is chosen

### 3.4.3 Crisis Housing

Crisis Housing will be allocated on a case-by-case basis.



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## 3.5. Appeal Against Decision

### 3.5.1 Community Housing

Prospective tenants for Community Housing have the right to seek a review of any decision to allocate housing by contacting the Department of Housing and Public Works.

### 3.5.2 Council Owned Community Housing & Crisis Housing

Prospective tenants for Council Owned Community Housing & Crisis Housing have, through the Council's complaints management process, the right to seek a review of any decision to allocate housing.

## 3.6. Pets

### 3.6.1 Community Housing & Council Owned Community Housing

Western Downs Regional Council supports tenants keeping pets where the style of housing is suitable for that type of pet. The keeping of pets in any Council property must comply with applicable State Government legislation and Council's Local Laws and must be declared when signing a General Tenancy Agreement.

Tenants may keep a pet if -

- The premises is suitable for keeping a pet e.g. appropriate fencing, suitable area for housing;
- The pet does not interfere with the reasonable peace, comfort and privacy of neighbours;
- The tenant complies with the *Animal Management (Cats and Dogs) Act 2008* and Local Government Local Laws for the keeping and control of animals;

A tenant may keep a small dog or cat (less than 10kg in size) inside the premises on the proviso that the dwelling is professionally treated for fleas upon ending the Tenancy Agreement.

### 3.6.2 Crisis Housing

Western Downs Regional Council supports tenants keeping pets at Crisis Housing accommodation. The keeping of pets in any Council property must comply with applicable State Government legislation, and Council's Local Laws and must be declared when signing a General Tenancy Agreement and Contract.

Tenants may keep a pet if -

- The pet does not interfere with the reasonable peace, comfort and privacy of neighbours;
- The tenant complies with the *Animal Management (Cats and Dogs) Act 2008* and Local Government Local Laws for the keeping and control of animals;

The keeping of large working or hunting dogs is not permitted at Crisis Housing Accommodation.

