



BETHANIE HOUSING RENTAL POLICY

2018 EDITION



BETHANIE HOUSING RENTAL POLICY

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BETHANIE HOUSING RENTAL POLICY

Introduction

1. Purpose

This policy manual outlines the conditions under which Bethanie Housing utilises its housing assets. This policy must be read in conjunction with the Housing Authority's:

- Community Housing Income and Eligibility Policy
- Community Housing Allocations Policy; and
- Community Housing Rent Setting Policy.

In the event that any contradiction appears between the Housing Authority's policies listed above and this policy manual, the Housing Authority's policies will prevail.

2. Scope

This policy manual covers all tenancies, housing assets and all Bethanie Housing personnel dealing with assets and tenancies.

3. Definitions

Affordable housing

Housing to be leased to households earning no more than eligibility limits for entry into the National Rental Affordability Scheme (Band B). Rent is to be set at less than 75% of the market rent or otherwise in accordance with the relevant policies.

Assessable income

Payments, whether qualifying as:

1. General income (wages, salaries, superannuation, salary sacrificed amounts, child maintenance and interest from financial assets including savings payments) or
2. Statutory income (pensions, benefits or allowances) that:
 - are or can be received as regular fortnightly income and therefore can be planned for.
 - are ongoing and for which recipients do not need to requalify for once eligible.
 - temporarily replace a recipient's primary form of income - e.g. Paid Parental Leave.
 - are for, or able to be, used for general livings costs. (The incomes are listed in Appendix 1).

AMS

Allocation Management System – Habitat or any other software package used by the Housing Authority to manage allocations and maintain the Joint Wait List.

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Asset	Any property or item of value the tenant owns or has an interest in, including those held outside Australia.
Band A	Households who: <ul style="list-style-type: none"> • meet the Public Housing Eligibility Criteria as outlined Table 1, or • are in receipt of statutory income exclusively, or of less than \$1000 in other income(s).
Band B	Households with income exceeding the eligibility criteria for Public Housing and not exceeding the eligibility criteria outlined in Table 2.
Couple	Two persons living together under any form of relationship, would it be a marriage, a de facto relationship as defined in Section 4AA of the <i>Family Law Act 1975</i> or any other form of stable relationship legally recognised in Australia.
Disability	An intellectual, psychiatric, cognitive, neurological, sensory or physical impairment of a person that is permanent or likely to be permanent, which impacts on the housing needs of that person in terms of housing design, amenity level or proximity to appropriate medical and support services.
Eligible persons	Persons who meet Housing Authority's eligibility criteria for Affordable Housing or Social Housing (as applicable) as set out in Housing Authority's policies and this Policy manual.
Exceptional circumstances	May include, but are not limited to poor tenancy history, anti-social behaviour or major breaches of the <i>Residential Tenancy Act 1987 (WA)</i> .
Housing, Housing Authority	The Housing Authority as defined in the <i>Housing Act 1980</i> (also may refer to the Housing Division of the Department for Communities).
JWL (Joint Wait List)	The list of eligible persons maintained by the Housing Authority on behalf of clients and selected Community Housing Organisations to form a common integrated Housing Wait List for Western Australia.
Priority applicants	Persons who are on the Joint Wait List and have demonstrated an urgent need for housing in accordance with the relevant Policies.
Reasonable offer of housing	An offer of housing that takes into account all the applicant's housing requirements including, but not necessarily limited to, basic housing requirements, location requirements and future needs. The offer must be recorded in AMS, with a valid or invalid decline if applicable and accompanying comments.

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Sensitive allocations	Refers to matching tenants with appropriate dwelling types in accordance with location requirements, safety considerations, cultural and family (including extended) structures, including matching the number of tenants to the capacity of the dwelling.
Social housing	Means rental housing for people with low to moderate incomes (Band A) provided by a Public Housing body or a Community Housing Organisation. Rent is set at 25-30% of household income.
Sustainable tenancies	Tenancies take into account the principles of a sensitive allocation. As a provider, Bethanie Housing needs to ensure that the allocation is sustainable for the tenant and Bethanie Housing.
Tenant	Person or persons who are charged rent by Bethanie Housing for occupying premises from time to time.
Wait turn applicants	Means applicants who are on the Joint Wait List but have not demonstrated an urgent need for housing in accordance with the relevant policies.
GST Act	<i>A New Tax System (Goods and Services Tax) Act 1999.</i>

Income eligibility

4. Income eligibility limits

- (1) The allocations officer must undertake income testing for Band A tenants in accordance with Table 1 below:

Table 1: Band A Income Eligibility Limits

No. of people in household	Income Limit				Disability Income Limit			
	Single income		Dual income		Single income		Dual income	
	Weekly	Annual	Weekly	Annual	Weekly	Annual	Weekly	Annual
1	\$430	\$22,432			\$540	\$28,170		
2	\$580	\$30,257	\$670	\$34,952	\$725	\$37,821	\$830	\$43,298
3	\$695	\$36,256	\$790	\$41,212	\$870	\$45,385	\$1,000	\$52,167
4	\$815	\$42,516	\$930	\$48,515	\$1,020	\$53,210	\$1,160	\$60,513
Additional annual limits per person								
Household member	Income Limit				Disability Income Limit			
	Weekly		Annual		Weekly		Annual	
Additional person	\$115		\$5,999		\$145		\$7,564	

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- (2) The Allocations Officer must undertake income testing for Band B tenants in accordance with Table 2 below:

Table 2: Band B Income Eligibility Limits

Household type	Income Limit		Disability Income Limit	
	Weekly	Annual	Weekly	Annual
Single person	\$881	\$45,956	\$1,101	\$57,445
Two adults/couple	\$1,218	\$63,535	\$1,522	\$79,419
Sole parent with 1 child	\$1,219	\$63,579	\$1,523	\$79,474
Additional annual limits per person				
Household member	Income Limit		Disability Income Limit	
	Weekly	Annual	Weekly	Annual
Each additional adult	\$337	\$17,579	\$421	\$21,974
Each additional child	\$292	\$15,243	\$365	\$19,054

Asset eligibility

5. Asset eligibility for Band A

- (1) The assets that must be considered when assessing eligibility for Band A tenants include:
- (1) **Real estate:** Applicants must not own or be part owner of property or land constituting a viable housing option or the financial equivalent of that. The allocations officer may exercise discretion, e.g. permit continuing ownership or joint ownership of property or land for a period of time after application, where there are specific difficulties relating to immediate disposal.
 - (2) **Cash assets:** Cash, money in banks, building societies, interest bearing deposits, fixed deposits bonds, shares, property trusts, friendly society bonds and managed investments such as loans, debentures, friendly society and insurance bonds, unlisted equity and property trusts.
 - (3) **Superannuation:**
 - a) Funds that cannot be realised (E.g. superannuation roll-over fund) are not assessed as an asset (for under 55s).
 - b) Where a lump sum superannuation is taken, it will be treated as cash asset and any income derived will be assessed for eligibility and rent assessment purposes (55 years and over).
 - (4) **Valuable Goods:** Such as cars, antique furniture or stamp collections are excluded from assessment.
 - (5) **Life insurance:** Policies are excluded from assessment.
 - (6) Band A clients sourced from JWL are considered asset tested for non-financial assets by the Housing Authority.

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- (7) The allocations officer must apply asset testing for Band A tenants in accordance with Table 3 below:

Table 3: Band A Asset Eligibility Limits

Household Type	Cash Asset Limit
Single	\$38,400
Couples	\$63,800
Seniors 60 years plus (singles or couples)	\$80,000
People with disabilities	\$100,000

6. Asset eligibility for Band B

- (1) The assets that must be considered when assessing eligibility for Band B tenants include:
- (a) **Real estate:** Applicants must not own or be part owner of property or land constituting a viable housing option or the financial equivalent of that. The value of any real estate other than the principal home is included.
 - (b) **Cash assets:** Cash, money in banks, building societies, interest bearing deposits, fixed deposits, bonds, debentures, shares, property trusts, friendly society bonds and managed investments, such as loans, debentures, insurance bonds, unlisted equity and property trusts.
 - (c) **Superannuation:** Any assets held in superannuation and rollover funds if the applicant is of pension age.
 - (d) **Businesses and farms:** This includes goodwill where the goodwill is shown on the balance sheet.
 - (e) **Life insurance:** The surrender value of the policy.
 - (f) **Gifts:** The value of gifts more than \$10,000 in a single year and \$30,000 in a five year period.
 - (g) **Loans:** The value of any loans (including interest-free) made.
 - (h) **Vehicles:** The value of motor vehicles, boats and caravans not used as principal residence.
 - (i) **Personal effects:** The value of personal effects.
 - (j) **Collections:** Whether for trading, investment or hobby purposes.
 - (k) **Retirement village entry contribution:** If less than the difference between the homeowners' and non-homeowners' assets limits.
 - (l) **Private trust or company:** The attributed value of such an asset.
- (2) Band B clients sourced from JWL are considered asset tested for non-financial assets by the Housing Authority.

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- (3) The Allocations Officer must undertake asset testing for Band B tenants in accordance with Table 4 below:

Table 4: Band B Asset Eligibility Limits

Household Type	Asset Limit
Single	\$332,000
Partnered (combined)	\$412,500
Couple but separated due to illness (combined)	\$412,500

7. Other eligibility criteria

Apart from the eligibility criteria above, the following additional criteria apply:

1. Tenants must be 55 years or older; or
2. One of the tenants of a couple must be 55 years or older.
3. A carer under 55 years can be admitted as householder, with no rights of tenancy holder.

Allocations

8. General rules to be followed when allocating housing

- (1) Bethanie Housing must allocate housing only for applicants on the Joint Wait List (JWL) if they have nominated 'Community Housing' as an option.

- (2) Bethanie Housing must apportion its housing stock amongst:

- (a) Social housing JWL priority tenants
- (b) Social housing JWL wait-turn tenants; and
- (c) Affordable housing tenants

This should be done in accordance with the Community Housing Agreement and the Performance Agreement attached to it, as amended from time to time.

- (3) When selecting from the Joint Wait List, the Allocations Officer must apply the following order: Applicants with the earliest listing date are offered housing first, for each category – wait-turn and priority; unless:

- (a) An applicant on the Joint Wait List requires a special category of housing, e.g. a mobility house, and Bethanie has a mobility house available that also meets other relevant criteria; or
- (b) Another arrangement is made with Housing.

- (4) The Allocations Officer must use the AMS for all allocations.

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9. The housing pre-allocation process: Eligibility and needs

The Allocations Officer:

- (1) Allocates the application for assessment in AMS, whether general or for an offer, to avoid duplication by Housing or another Community Housing Provider; and
- (2) Notes the allocation date, as the start of counting the 21 business days period in which Bethanie must either house the tenant or return the application to the JWL; and
- (3) Refers the case to the Tenancy Manager to determine, giving consideration to the applicant's:
 - (a) basic housing requirements, including include zone preference, household composition, medical or disability needs (if any) and any supported housing needs; and
 - (b) location requirements, including proximity to schooling, transport, employment, necessary medical, community or family support; and
 - (c) future needs that my impact on location requirements; and
 - (d) potential special needs (e.g. mobility)
 - whether Bethanie would be able to house the applicant, and if so:
- (4) Refers back to the Allocations Officer to conduct the assessment of the applicant's income and eligibility in accordance with the relevant policies; and if the applicant is found eligible, then:
 - (a) Advises the applicant of the availability of Bond Assistance Loans provided by Housing;
 - (b) In accordance with Housing's Allocations Policy, ensures that all vacant property notifications have been made; and
 - (c) If eligibility and housing availability conditions are met, initiates the allocation process.

10. The accepted allocation process

- (1) In allocating a suitable housing asset, the allocations officer must take into account the entitlement conditions shown in the table below:

Table 5: Community Housing entitlement

Target Group	Community Housing Entitlement
Seniors (55 & Over) Single or Couple	1 or 2 bedroom property Seniors with an existing 2 bedroom entitlement, as determined by the Housing Authority may not be offered a 3 bedroom property.

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Single main occupant (55 or over) or Couple and 1 child	2 or 3 bedroom property.
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(2) The Allocations Officer must:

- (a) Contact the applicant by phone to initiate the making of a formal offer, unless a valid phone number is not available, in which case the Allocations Officer must identify the next person on the JWL with whom to restart the process; or
- (b) If the applicant is contacted, make the formal offer and record this fact in AMS.

(3) If an application is made under subclause (2), and the applicant accepts the offer, the Allocations Officer must:

- (a) Undertake a second eligibility verification;
- (b) Prepare the Residential Tenancy Agreement in accordance with applicable policies.

11. Declined allocation process

If an applicant declines a property offered in tenancy, the allocations officer must:

- (1) obtain from the applicant the reason for the decline and assess it for validity;
- (2) if the reason is deemed valid, record the decline in AMS with an explanatory comment.
- (3) if the reason is deemed invalid, advise the applicant that:
 - (a) their application will be removed from the JWL and cannot be reinstated for a period of six (6) months; and
 - (b) that he or she may still be housed by the Housing Authority.

12. Withdrawal of an offer

(1) On behalf of Bethanie Housing, the Allocations Officer may withdraw an offer of housing under the following exceptional circumstances:

- (a) If an applicant supplies false or misleading information; or
- (b) If an applicant fails to respond to an offer of housing within the timeframe identified by the allocations officer; or
- (c) Other grounds as determined by Bethanie Housing.

(2) In a situation as described in subclause (1), the Allocations Officer is required to record the decision in the comments facility in AMS.

13. Discretionary allocations

In accordance with Housing Authority's position, Bethanie Housing has discretion to offer assistance that may fall outside the standard criteria, and consider the future requirements of an applicant in accordance with 'sensitive and sustainable allocation' principles during the assessment process. This means that in the management of community housing, Bethanie Housing may utilise their internal policies and procedures to assist an applicant.

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14. Applicants' right to decline a housing offer

- (1) An applicant has the right to receive one offer of housing and either accept or decline it, or accept it and decline it thereafter subject to conditions outlined in this clause.
- (2) The Allocations Officer will determine if the decline is valid or invalid, and, if invalid, provide the applicant with information on avenues to appeal the finding of invalidity.
- (3) A decline is considered valid if one of the grounds below is invoked and supported by evidence:
 - (a) Housing offered falls outside the applicant's basic housing needs.
 - (b) Housing offered does not meet the applicant's location requirements.
 - (c) The applicant is committed by private leasing arrangements.
 - (d) Other grounds deemed reasonable by the Allocations Officer.
- (4) A decline is considered invalid by the Allocations Officer the application will be removed from JWL, but may be reinstated if the Allocations Officer makes a formal and reasoned request to Housing.
- (5) The Allocations Officer may withdraw a housing offer, if an applicant supplies false or misleading information, fails to respond within the provided timeframe, or for any other justified reason deemed reasonable by the Allocations Officer.

Rent setting

15. Rent setting rules established by Housing

- (1) In accordance with Housing policies, Bethanie Housing must:
 - (a) Charge an affordable rent of no less than 25% and no higher than 30% of a households *net* (after tax) income.
 - (b) Ensure no rent exceeds the current 74.9% Market Rent for any property.
 - (c) Factor Commonwealth Rent Assistance (CRA) in to any determination of rent.
 - (d) Avoid, if possible, charging rents that exceed the maximum amount allowed, so as to constitute a Goods and Services Tax free supply, as provided for in the GST Act, including but not limited to subdivision 38-G thereof. The Australian Taxation Office can provide information of any implications if the rents exceed the maximum amount allowable under the GST Act.
- (2) In accordance with Housing policies, Bethanie Housing may:
 - (a) Adjust rents to reflect amenity and location factors, subject to not exceeding affordability ceiling limits.
 - (b) Define 'assessable income' and how it will be treated.
 - (i) Adopt the specific methodology within the framework defined in subclause (1) to calculate the rent.

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16. Assessable income

In accordance with Clause 15(2)(b), Clause 3 defines **assessable income**, and the Appendix to this Policy Manual lists the incomes considered by Bethanie Housing, when establishing eligibility and setting the rent.

17. Rent calculation

Bethanie Housing may use Rent Calculators in determining rent, with the operating formula being set to establish rents within the framework outlined in Clause 15(1).

18. Rent increases

- (1) Bethanie Housing may, in the conditions specified in s 31A *Residential Tenancies Act 1987*, change the method by which the rent is calculated at not less than 6 months after the preceding increase.
- (2) Rent increases will be limited to the lesser of the assessed amount or \$12 per fortnight.

19. References

- *Residential Tenancies Act 1987*
- *Residential Tenancies Regulations 1989*

Version Control and Change History

Version No.	Approval Date	Approved by	Status	Document Owner
1.0	08/10/2018	Executive Committee	Released	GM - Housing

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APPENDIX

LIST OF INCOMES TO BE USED FOR ELIGIBILITY AND RENT SETTING PURPOSES

ELIGIBILITY	RENT
ELIGIBILITY: COUNTED	RENT: COUNTED
Age Pension	Abstudy
Business Income	Age pension
Carer allowance, incl components (if tenant)	Austudy
Carer Payment (if tenant)	Business Income
Carer Supplement (?)	Carer allowance (whether carer and occupant)
Compensation (if streamed)	Carer Supplement (?)
Deemed Income	Commonwealth Rent Assistance
Derived Income	Compensation (if streamed)
Disability Support Pension	Deemed Income
District Allowance	Derived Income
Foreign Income	Disability Support Pension
Foreign Pension	District Allowance
Foreign Pension Additional	Foreign Income
Income Stream / Annuities	Foreign Pension
Low Income Family Supplement	Foreign Pension Additional
Low Income Supplement	Income Stream/Annuities
NewStart Allowance	Living Allowance / Board Provider (ABSTUDY)
NewStart Mature Age Allowance	Local Govt Elected Member Allowance
Overtime (Regular)	Low Income Family Supplement
Partner Allowance	Low Income Supplement
Pension Supplement	NewStart Allowance
Real Estate Income	NewStart Mature Age Allowance
Salary Sacrifice Amounts	Overtime (Regular)
Self Employed	Partner Allowance
Superannuation	Pension Supplement
Trusts and Companies	Real Estate Income
Veterans' Affairs Pension	Salary Sacrifice Amounts
Wages and Salary	Self Employed
War Widow Pension (incl Domestic Allowance and Income Support Supplement)	Superannuation
Widow Allowance	Trusts and Companies
Widow Pension B	Veterans' Affairs Pension
Wife Pension	Veterans' Children Education Scheme
Work for the Dole	Wages and Salary
	War Widow Pension (incl Domestic Allowance and Income Support Supplement)
	Widow Allowance
	Widow Pension B
	Wife Pension

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	Work for the Dole
	Youth Allowance

Incomes from Non-Statutory Sources	Incomes from Statutory Sources
ELIGIBILITY: NOT COUNTED	
Abstudy	Bereavement Allowance
Austudy	Compensation (if lump sum)
Bereavement Allowance	Energy Supplement
Living Allowance / Board Provider (ABSTUDY)	Multiple Birth Allowance
Carer allowance, incl components (if occupant)	New Enterprise Incentive Scheme
Carer payment (if occupant)	Pharmaceutical Allowance
Commonwealth Rent Assistance	Sickness Allowance
Compensation (if lump sum)	Special Benefit
Energy Supplement	Telephone allowance
Local Govt Elected Member Allowance	Utilities Allowance
Multiple Birth Allowance	Youth Disability Supplement
New Enterprise Incentive Scheme	
Pharmaceutical Allowance	
Sickness Allowance	
Special Benefit	
Telephone allowance	
Utilities Allowance	
Veterans' Children Education Scheme	
Youth Allowance	
Youth Disability Supplement	

Incomes from Non-Statutory Sources	Incomes from Statutory Sources
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