

Community Housing Rent Policy

for providers funded under the *Housing Act 2003* that deliver a community housing service and/or crisis accommodation.

1 Policy statement

Funded providers must have regard to the [Housing Act 2003](#), and the [Housing Regulation 2015](#), and administer the policy in a way that has sufficient regard to the availability of safe, secure, appropriate and affordable housing in a community.

The *Community Housing Rent Policy* (CHRP) prescribes how funded providers assess, calculate and review the rent payable, when a tenancy begins, when a household's circumstances change during a tenancy and at scheduled reviews.

Funded providers must ensure tenants are charged an affordable rent when residing in community housing and crisis accommodation. Tenants will pay the income-based rent or market rent for the property, whichever is lower.

Rent must be sensitive to the tenant and household's circumstances and not cause financial hardship, giving consideration to the cost of living and ability to pay.

Tenants residing in a property managed by a funded provider under the [Housing Act 2003](#) will have their rent assessed at

- 25 per cent of the household's assessable income plus 100 per cent of Commonwealth Rent Assistance (CRA) entitlement.
- 28 per cent of the household's assessable income plus 100 per cent of CRA entitlement when the property or accommodation is furnished.
- up to 30 per cent of gross household income plus 100 per cent of CRA entitlement for approved affordable housing delivered as social housing. This housing must be approved by the Chief Executive under the [Housing Act 2003](#).
- or the market rent, if it is lower than the income-assessed rent.

In some cases, providers will set the maximum rent at 74.9 per cent of market rent, where required to do so to retain their charitable status in accordance with Australian Tax Office requirements.

When implementing this policy, the funded provider must make decisions fairly and transparently, that are compatible with human rights, as described in the [Human Rights Act 2019](#).

The rationale for the funded provider's decision about the calculation of rent payable must be documented and provided to the tenant if requested.

When a funded provider collects and accesses personal information, the funded provider must do so in accordance with the information privacy principles, as described in the [Information Privacy Act 2009](#).

2 Outcomes

Safe, secure, and affordable housing that supports the tenant's housing pathway plan, including optimal health, well-being, and life outcomes.

Fair and equitable rents assessed consistent with public housing rents.

Rental income that supports the delivery of tenant outcomes and meets the objects, guiding principles and funded providers' obligations under the [Housing Act 2003](#), [Housing Regulation 2015](#), [Social Housing Program Specifications](#) and funding agreements.

3 Objectives

The objectives are that rent is:

- affordable for tenants
- transparently explained to tenants
- assessed in a way that is fair and equitable and consistent with public housing rents
- set in a way that reduces financial disincentives for tenants to earn additional income

4 Meaning of Rent

In the context of this policy, rent has the following meaning:

Rent is paid where a household is covered under the provisions of the [Residential Tenancies and Rooming Accommodation Act 2008](#) (RTRA Act) and/or the [Housing Regulation 2015](#).

For the purposes of this policy, any charges to occupants of properties funded under the Crisis Accommodation Program are considered to be a form of rent.

5 Responsibilities

In addition to meeting the outcomes of this policy, the [Housing Regulation 2015](#) requires funded providers to keep a rent policy compliant with a funding agreement and this policy, which:

States the criteria and procedures relating to rent paid by a tenant, including:

- Setting the amount of rent; and
- Calculating rent payments; and
- Collecting rent; and
- Managing rent arrears; and

Provides for-

- explaining rent calculations to the tenant and dealing with their queries about rent; and
- giving the tenant a choice of ways to pay rent; and
- preventing the tenant from getting into serious arrears of rent; and

Complies with the funding agreement for the service.

All funded providers must operate within these requirements and relevant government legislation, regulations, directives, information standards and/or policies at the time of publication.

This policy document should be read in conjunction with the [Community Housing Rent Policy Guideline](#).

6 Incomes

6.1 Assessable Income

All monies received with some regularity or frequency that are not one-off payments for specific purposes or events, must be treated as income and included during rent assessment to determine rent payable by tenants. Assessable incomes include pensions, benefits and allowances, wages and work allowances, and other types of incomes.

A list of assessable income to be included when undertaking rent assessments is detailed in the [Community Housing Rent Policy Guideline_- Assessable and non-assessable income lists](#).

6.2 Non-Assessable Income

Non-assessable incomes are broadly related to payments for bereavement, natural disasters, reimbursements and loans, some Government compensations, and payments for specific purposes or events.

A list of non-assessable income excluded from rent assessments is detailed in the [Community Housing Rent Policy Guideline_- Assessable and non-assessable income lists](#).

All details on how assessable and non-assessable rents are calculated, and how to administer rent are included in the [Community Housing Rent Policy Guideline](#).

7 Assessment Rules

This policy will apply to all new tenants in community housing properties and crisis accommodation following the effective date of the policy. Funded providers may transition existing tenants to the new policy at the time of scheduled rent reviews or a notified change in circumstances. This can occur at regular intervals or when there are changes to household income or when household members join or vacate the property. This also applies to Crisis Accommodation Program (CAP).

Funded providers transitioning existing tenants to the new policy are compelled to ensure the calculation of rent payable is sensitive to the tenant and household's circumstances and not cause financial hardship, giving consideration to the cost of living and ability to pay.

Any scheduled rent review should not occur less than every 6 months. Notification of change in circumstances, however any rent increases and notification to tenants must comply with the [RTRAA](#).

8 References

Legislation and regulations

[Housing Act 2003](#)

[Housing Regulation 2015](#)

[Human Rights Act 2019](#)

[Public Records Act 2002](#)

[Residential Tenancies and Rooming Accommodation Act 2008](#)

[Residential Tenancies and Rooming Accommodation Regulation 2009](#)

[Information Privacy Act 2009](#)

Department documents

Social Housing Program Specification

Community Housing Rent Guideline