

2.2.8.2 Tenants declaring bankruptcy

Preamble

Women's Housing Company (WHC) is a community housing association as part of the social housing system in NSW. WHC provides long term housing for single women and medium term housing through support partnerships.

As a social housing provider WHC is funded by the Office of Community Housing to provide rent subsidies to eligible tenants. Eligibility guidelines are stated by OCH and the Housing NSW.

It is the responsibility of Women's Housing Company to ensure that no rent subsidy fraud is occurring.

POLICY

Women's Housing Company occasionally is notified by a tenant that they have declared themselves bankrupt. WHC requires this declaration to be verified by a trust in writing. Women's Housing Company needs to be listed as a creditor and the date the bankruptcy applies must be stated on the verification.

In the case of rent arrears, the tenant can apply to have the rent arrears waived up until the day the bankruptcy was declared. The tenant and the controlling trustee authority need to be advised in writing about the rent waiver and the ongoing rent responsibility; rent amount and payment dates need to be highlighted. Further arrears must be notified to the trustee.

If the tenant falls further in arrears post the declaration of the bankruptcy, WHC will follow the steps outlined in [2.2.9 Rent Arrears](#).

PROCEDURE

Once a notification has been received by WHC, the housing worker informs the tenant that they can apply to have their rent arrears waived.

On receipt of such application the housing worker in conjunction with the Housing Manager will waive the arrears. This may involve terminating the tenancy on the TMS database and start a new one (anniversary date must be considered).

Date developed: 24/7/07

Date/s policy was ratified and/or changed by Board: 28/8/07; 1/03/10

Note: Procedures are designed to guide the implementation of a policy and will be updated on a regular basis as part of ongoing best practice service improvement.