

4.7 Appeals

Preamble

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

WHC is committed to offer the provision of best practice, professional services with an articulated focus on tenants input and feedback. As part of this commitment WHC is guided by fair processes, transparency and documentation which adhere to ethical administrative practices.

It is understood that to implement this commitment regular monitoring, evaluation, review and improvements are required.

WHC clearly articulates all decisions affecting applicants and tenants in writing. Applicants and tenants are informed with each decision that these are appealable, internally and externally.

WHC monitors all tenancy and property management activities to ensure adherence to best practice is maintained at all times.

WHC abides by relevant legislation such as the NSW Residential Tenancy Act 1987, NSW Anti-Discrimination Act 1977, Privacy and Personal Information Act 1988 (see [4.5.1 Relevant Legislation](#) for comprehensive list).

WHC adheres to guidelines and policies such as set out by the Office of Community Housing and the National Community Housing Standards.

POLICY

[Women's Housing Company ensures that all decisions are documented and advises applicants and tenants that all decisions are **appealable**.](#)

Women's Housing Company aims to meet applicants' and tenants' needs wherever possible within the constraints of legislation, Office of Community Housing Policies, our internal policies, and within organisational viability.

Decision making processes and scope of delegations are clearly outlined within Women's Housing Company policies and procedures. While grey areas do exist, policies and procedures are evaluated regularly to improve them where and when identified and required. It is recognised that some grey areas need to exist to allow for discretion and merit review.

All staff are required to declare any conflict of interest regarding applicants, tenants, contractors and real estate agents, in writing. Conflict of interest prevents these staff members from participating in any decisions regarding people covered by their declaration.

At times Women's Housing Company will make decisions that may not meet the needs of applicants or tenants. In these cases WHC encourages the applicant and tenant to make use of internal and external processes for appeal, including the Housing Appeals Committee.

If tenants have lodged an appeal with the HAC, any proceedings in the Consumer, Trader and Tenancy Tribunal, CTTT will be suspended until the HAC appeal has been resolved.

PROCEDURE

Appeals

Women's Housing Company makes decisions on tenancy and property related issues on a daily basis. An applicant or tenant has the right to appeal decisions if they are dissatisfied.

All decisions are communicated in writing. Each letter includes a statement articulating that the applicant or tenant may appeal the decision.

A decision can be appealed in writing addressed to the Senior Housing Manager. The Senior Housing Manager will assess all appeals on merit and within the relevant policy.

This involves assessing the file of the applicant or tenant against policy and procedure, taking into account any new evidence provided by the applicant or tenant. If the appeal is lodged by a tenant, the relevant housing worker managing the tenancy will be consulted and any other people that may be relevant to the decision making process including the appellant.

If an appeal is successful the applicant or tenant will be informed in writing that the decision has been altered in their interest, whether in part or in full.

If an appeal is not successful and the original decision is upheld the applicant or tenant will be informed in writing.

The letter includes a statement providing the applicant / tenant with information on the Housing Appeals Committee (HAC), if they wish to take their appeal further to the external level.

Women's Housing Company is committed to positively engage with any appeals assessed by the HAC. Therefore, WHC complies with requests by the HAC to provide any relevant information which lead to the decision made by Women's Housing Company. This generally means the provision of relevant sections of the applicant's or tenant's file, and copies of policies and procedures.

All appeals and outcomes are dated and recorded in an **Appeals' Register** which is kept with the Senior Housing Manager. Each appeal will be recorded separately on an appeals form stating the nature of the appeal, dates, outcomes, reasons and decision maker. The form will be attached to the applicant's / tenant's file.

The Senior Housing Manager reports all written appeals to the Board of Directors as part of a monthly Housing Management Data Report.

All cases in which WHC disagrees with the HAC recommendation are reported to the CEO and/or Board of Directors for further decision making.

Date developed: 31/1/2005

Date/s policy was ratified and/or changed by Board: 31/1/05; 28/8/07

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.