

Transitional Housing Policy

1.0 Purpose and Applicability

This policy describes how the Women's Housing Company (WHC) manages the Transitional Housing portfolio to ensure legal and contractual requirements are met and the program remains financially sustainable.

Some aspects of Transitional Housing management are identical to other housing types offered by the WHC. Where this is the case, this document refers to other WHC policies. The Transitional Housing Policy sets out the details of tenancy and property management where policy differs from other housing types managed by the WHC.

This policy applies to all 12 -18 Month Transitional Housing properties managed by the WHC. This policy applies to all WHC staff and contractors, support provider partners, and Transitional Housing nominated applicants and tenants.

The Customer Service Charter and Customer Rights and Responsibilities guide the interactions between the WHC, support provider partners, nominated applicants and tenants.

2.0 What is Transitional Housing?

"Transitional Housing" is time-limited subsidised rental housing for people who are experiencing homelessness or at risk of homelessness and require immediate housing and support. It is generally provided between three (3) to eighteen (18) months, depending upon individual requirements, while working towards sustainable long-term housing options.

3.0 Support Partnerships

Transitional Housing is usually delivered in partnership with support providers, mostly Specialist Homelessness Services (SHS) to assist clients to access safe, secure, and affordable housing. This may include (but is not limited to) identifying and taking action towards securing suitable long-term housing and addressing issues that may pose a barrier or developing skills required for successful independent long-term housing.

A "Memorandum of Understanding" (MOU) governs the partnership between the WHC and each SHS Provider partner, setting out the roles and responsibilities of each party to the agreement, ensuring the client / tenant is at the centre of all decisions and actions.

The WHC has partnerships with a range of SHS organisations that are funded by the NSW Government to provide responses to homelessness. These responses include facilitating access to transitional housing, providing direct case management support and linking their clients to ongoing supports in their community, to ensure successful outcomes, including long-term sustainable housing.

4.0 Confidentiality and Client Safety

The WHC and SHS partners are committed to working collaboratively to deliver Transitional Housing and support in a way that is client-centred, trauma-informed, strengths-based, fair, consistent and accountable.

WHC and SHS partners will only exchange personal and confidential information where there is a lawful basis to do so, including informed consent where required. Information must be collected, used, stored and shared in accordance

with the WHC Privacy Policy, relevant privacy law and agreed information-sharing arrangements.

Additionally, each organisation commits to keep confidential the addresses of Transitional Housing properties, and only provide relevant addresses to eligible clients once nominations are approved and transitional housing offers are made by the WHC. This requirement is in the interests of safety for existing and future tenants and their household members.

Where tenancy-related decisions may affect a tenant's access to accommodation or support, WHC will work with the SHS partner to ensure relevant risks, safety issues, support needs, communication requirements and reasonable alternatives are considered and documented before action is taken, where it is safe and lawful to do so.

5.0 Eligibility Requirements

The WHC manages properties that are specifically available as Transitional Housing for eligible clients of our SHS partners.

SHS providers conduct an initial assessment to determine if a person meets the eligibility criteria of the housing and support package. The SHS provider may then nominate a woman for Transitional Housing. Nominations are made using the WHC Transitional Housing Nomination form.

To be nominated for Transitional Housing, SHS clients must satisfy the following:

5.1 General Criteria

- Be experiencing homelessness or be at risk of homelessness and require immediate housing and support; and
- Be actively engaged with the SHS provider.

5.2 WHC Criteria

In line with the WHC purpose, Transitional Housing nominees must be women, with or without dependent children, and match the target client group of the relevant SHS Service Package.

Nominated clients must be committed to developing and working towards a long-term housing action plan. The WHC can assist with assessing eligibility for social housing and updating applicants' details on the NSW Housing Register, as requested.

6.0 Portfolio Management

Transitional Housing properties and tenancies are managed by the WHC in accordance with the legal landlord responsibilities under the NSW Residential Tenancies Act 2010, NSW Community Housing Policies and WHC Policies.

Transitional Housing properties are also managed in accordance with contractual arrangements between the support partner and their funding body.

7.0 Vacancy Management and Allocations

Each SHS partner has exclusive nomination rights to the properties listed in their MOU, meaning they share the

responsibility with the WHC for minimising vacancy turnaround time and maximising the opportunity for people in need to be housed and supported within the SHS program.

By working closely with their clients in Transitional Housing, SHS providers should be aware of upcoming vacancies, enabling timely preparation of a new nomination to fill the vacancy. When a vacancy is notified or arises, the WHC advises the relevant SHS partner and requests nominations.

SHS providers are responsible for identifying and adequately assessing clients to ensure suitability for ongoing support, Transitional Housing with WHC and, where relevant, the safety and amenity of neighbouring tenants. Assessments should consider client safety, risk, accessibility, support needs and any reasonable adjustments required to support equitable access to housing and support.

SHS providers must submit an eligible nomination within 21 days of being notified of a property becoming vacant.

The WHC promptly assesses nominations received and makes offers within three (3) days of receipt of eligible nominations. Approved nominated clients are invited to view vacant properties. Where a viewing is held, the SHS provider should arrange a representative to accompany their client to the viewing, to assist them in the process and ensure they understand the implications of accepting or declining the property or program.

Where a nominee is not accepted for a property or program placement, WHC will document the reason for the decision and, where appropriate, communicate the outcome to the SHS partner so that alternative housing or support options can be considered.

Upon acceptance of an offer (whether the property has been viewed or not), the WHC arranges a lease signing appointment with the SHS provider representative, to be held no more than seven (7) days from acceptance of the offer. The SHS provider should arrange a representative to accompany their client to the lease signing, to assist them in the process and support them with tenancy establishment activities.

Where an eligible nomination is not submitted within 21 days of being notified of a vacancy, the WHC will charge the SHS provider an Extended Vacancy Charge, equivalent to the rent charged to the previous tenant of the vacant property (or a similar property, in the case of a new or replacement leasehold property). This charge will be calculated as a daily rate from Day 22 until the day before the property is re-tenanted. This charge will not apply to any period where property maintenance works are the cause of delayed re-tenanting.

8.0 Lease Agreements and Tenure

8.1 Residential Tenancy Agreement

The standard NSW Residential Tenancy Agreement governs the arrangement between tenants and the WHC. As the WHC is a registered Community Housing Provider, the provisions of the NSW Residential Tenancies Act 2010 that cover social housing tenancies also apply to transitional housing tenancies.

A fully executed copy of the Residential Tenancy Agreement is provided to the tenant.

8.2 Program Duration

In accordance with SHS Practice Guidelines, the Transitional Housing program provides housing and support for between three (3) and eighteen (18) months, depending upon individual requirements.

Fixed term leases are offered to tenants, with lease periods agreed between the WHC and SHS partner on a case-by-case basis, depending on individual client needs.

The minimum fixed term lease period is three (3) months and the maximum fixed term lease period is twelve (12) months. The maximum period allowable in the Transitional Housing program is 18 months.

8.3 Tenancy Establishment and Support Coordination

WHC will establish Transitional Housing tenancies in accordance with the Starting a Tenancy Policy. The SHS partner is expected to support the tenant to understand the offer, lease sign-up, tenancy obligations, support arrangements and program expectations.

In the early weeks of a tenancy, WHC and the SHS partner will coordinate contact with the tenant to confirm supports are in place, identify any tenancy risks early and ensure the tenant understands how to access assistance, request repairs, raise concerns and meet tenancy and program requirements.

8.4 Tenancy Sustainment

The WHC and SHS partners are committed to supporting tenants to maintain a successful tenancy.

WHC manages the tenancy including tenancy compliance, inspections, rent and non-rent account monitoring, neighbour issues, complaints and tenancy breaches in accordance with the Keeping a Tenancy Policy, Rent Policy, Repairs and Maintenance Policy and Complaints and Appeals Policy.

The SHS partner provides the necessary support to help the tenant sustain their tenancy. They also monitor program compliance through in-person and phone contact, outreach home visits, monitoring engagement and participation in goal planning and working towards individual goals, monitoring tenancy correspondence from the WHC, and case conferences with the WHC and tenant. Where additional supports are required to assist tenants, the SHS partner will identify and link relevant services with tenants.

Before tenancy action is escalated because of risk, disengagement, arrears or other tenancy concerns, WHC will, where appropriate, consult the SHS partner to support early intervention, consider reasonable support responses and document the basis for any decision.

8.5 Ongoing Eligibility and Lease Renewals

Where tenants meet the following criteria, they may be offered a lease renewal for a further fixed term:

- have complied with their tenancy obligations,
- remain eligible for the program, including continued engagement with the SHS provider, and
- require more time before they can exit the transitional program.

Where a lease renewal is offered, the fixed term lease period is agreed between the WHC and SHS partner on a case-by-case basis, depending on individual client needs (noting that the maximum period allowable in the Transitional Housing program is 18 months).

8.6 Tenancy Transfers

Transitional Housing tenants cannot apply for a transfer to another WHC Transitional Housing property.

In limited circumstances, where WHC requires the tenant to vacate a property for management purposes before the end of their fixed term lease, the WHC will secure a replacement property and facilitate a Management Transfer of the tenant.

8.7 Tenancy Termination

Tenancy termination is managed in accordance with the Ending a Tenancy Policy and the NSW Residential Tenancies

Act 2010. This section only sets out additional requirements that apply to Transitional Housing.

Where WHC is considering ending a Transitional Housing tenancy, WHC will give prior advice to the SHS partner where it is safe and lawful to do so, and will consider relevant support, safety, risk, communication and alternative housing factors before action is taken.

WHC may still take urgent or formal tenancy action where required by law, safety, serious breach, repeated breach, arrears, expiry of a fixed term, loss of program eligibility or other grounds available under the Residential Tenancies Act 2010.

In cases where the tenant is no longer eligible for Transitional Housing, they will be asked to relocate with appropriate notice.

Where a tenancy is ending, the SHS partner should support the tenant to identify safe and sustainable alternative housing and support options, including referrals where required.

The WHC may facilitate, where appropriate, access to exit housing options from transitional tenancies through the usual application processes (i.e. NSW Housing Pathways Register or direct application for Affordable Housing).

Where tenants have additional household members and the main tenant is vacating the property, other household members have no right of succession for the tenancy and must also vacate the property.

9.0 Rent and Other Charges

9.1 Rental Bond

Transitional Housing tenants are required to pay 4 weeks rent as bond. Further details can be found in the Starting a Tenancy Policy.

Market rent, subsidised rent, rent reviews, water usage charges, account statements, payment options, arrears management and non-rent charges are managed in accordance with the Rent Policy, Keeping a Tenancy Policy and Repairs and Maintenance Policy, unless this policy states a Transitional Housing-specific requirement.

10.0 Change in Circumstances

Transitional Housing tenants are responsible for notifying the WHC of any change in circumstances that could affect eligibility for Transitional Housing or a rental subsidy. Refer to the Keeping A Tenancy Policy.

Changes can include (but are not limited to) a change or cancellation of statutory benefits, starting employment, loss of employment, change of employment status or hours, extended absence from the property, or changes to the people in the household.

Failure to advise WHC of a relevant change in circumstances may affect Transitional Housing eligibility or rent subsidy arrangements. WHC will manage any tenancy response in accordance with the Keeping a Tenancy Policy, Rent Policy and Ending a Tenancy Policy, including consideration of support needs and engagement with the SHS partner where appropriate.

10.1 Extended Absence from the Property

A tenant must notify WHC if they are going to be away from the property for more than 4 weeks. Extended absences without prior approval by WHC may impact the tenant's rent subsidy. Refer to the Keeping a Tenancy Policy and Rent

Policy for details.

10.2 Assistance Animals, Companion Animals and Livestock

- An Assistance Animal is a dog or other animal that is accredited to provide assistance to a person with a disability, as defined in the Disability Discrimination Act.
- A Companion Animal is a pet, generally domestic cat or dog.
- Livestock generally kept in suburban yards refers to chickens. Council restrictions may apply.

Requests for assistance animals, companion animals or livestock are managed in accordance with WHC's relevant tenancy and disability access obligations. WHC will not decline a lawful request for an assistance animal.

Where a client nominated for Transitional Housing already has an animal, this information must be included with the nomination from the SHS Provider and will be taken into consideration by the WHC when assessing the suitability of the vacant property for the nominated client.

Where an animal may affect property suitability, WHC will consider the tenancy, property, safety, support and exit-planning implications in consultation with the SHS partner, while ensuring decisions are lawful, reasonable and documented.

11.0 Complaints and Appeals

Any person who has a complaint about how the Transitional Housing Policy has been administered, or tenants who wish to appeal a decision, should refer to the Complaints and Appeals Policy.

12.0 Privacy and Confidentiality Statement

The Women's Housing Company will ensure that all applicant and tenant information is kept confidential and is managed and protected in accordance with the WHC Privacy Policy and relevant privacy law.

From time to time, de-identified demographic information may be released to third parties for statistical purposes only.

13.0 References

13.1 External or Statutory Requirements

This policy complies with the following external legislation or requirements:

- Housing Act 2001
- Community Housing Providers (Adoption of National Law) Act 2012
- NSW Residential Tenancies Act 2010 and Regulation 2019
- Homes NSW Specialist Homelessness Services (SHS) Access, Eviction and Withdrawal of Services Policy, where relevant to SHS partner access, risk assessment, decision-making, service withdrawal and eviction-related practice
- NSW Civil and Administrative Tribunal Act and Regulation 2013 and Rules 2014

- NSW Community Housing Rent Policy
- NSW Community Housing Water Charging Ministerial Guidelines

13.2 Internal Requirements and Forms

This policy refers to the following internal documents, which are available on the WHC website:

- Transitional Housing Factsheet
- Transitional Housing Nomination Form
- Starting a Tenancy Policy
- Keeping a Tenancy Policy
- Rent Policy
- Repairs and Maintenance Policy
- Complaints and Appeals Policy
- Privacy Policy