

Rent and Non-Rent Arrears Policy

December 2024

Policy Name:	WHC Rent and Non-Rent Arrears Policy		
Version:	v1		
Approved by:	CEO	Issue Date:	December 2024
		Review Date:	December 2026

1.0 Overview

This policy describes how the Women's Housing Company (WHC) manages and collects rent and non-rent arrears that are linked with your tenancy. This applies for all general social housing, transitional housing, transitional plus and affordable housing tenancies.

2.0 Scope

This policy applies to all current and former tenancies managed by the WHC.

3.0 Purpose

This policy is designed to ensure the WHC:

- Aligns with the WHC mission to ensure tenants can sustain long-term, safe, and secure housing.
- Provides a clear and equitable framework to manage rent and non-rent arrears, ensuring all tenants are treated with equality and transparency.
- Encourages early intervention with debt recovery to ensure tenants do not fall into unmanageable debt.
- Follows tenancy legislation as outlined in the NSW Residential Tenancies Act and Regulation 2010.
- Adheres to funding agreements and reporting requirements as outlined by The Registrar for Community Housing and HOMES NSW that monitor rent and non-rent arrear management protocol.

4.0 Definitions

Rent arrears – are tenant rental payments that are unpaid and overdue.

Non-rent arrears – are tenant water charges and rechargeable maintenance that are unpaid or overdue.

Rechargeable Maintenance – are charges that are charged back to the tenant. These charges typically arise from tenant-related issues, such as locksmith services, damages caused by the tenant, or the upkeep of shared or common areas beyond normal wear and

Former tenants – have exited a WHC tenancy.

5.0 Policy

The WHC's approach to managing rent and non-rent arrears is as follows:

Tenants' accounts are monitored by the WHC on a weekly basis to prevent rent and non-rent arrears. This includes proactively communicating with tenants to address overdue accounts. When tenants fall behind in payments, the WHC will take immediate action to manage and recover the debt, whilst complying with the NSW Residential Tenancies Act 2010.

The WHC implements different strategies to address rent and non-rent arrears:

- Ensuring tenants are always 14 days in advance with rental and non-rental payments and encouraging the use of fortnightly Centrepay deductions.
- The WHC encourages tenants to pay rent and non-rent arrears immediately so the debt does not accumulate.

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- Negotiating repayment plan agreement for rent and non-rent arrears as soon as arrears occur. Or alternatively, requesting a lump sum payment.
- The WHC will issue a Notice of Termination when rent is unpaid for 14 days or more in accordance with the NSW Residential Tenancies Act 2010.
- When tenants are more than 14 days in arrears, refer tenants to external financial counselling providers, and other relevant support services.
- Seeking a Specific Performance Order (SPO) through the NSW Civil and Administrative Tribunal (NCAT) if rent is more than 14 days in arrears and no action has been taken.

Please note, eviction or tenancy termination will only be pursued through NACT as a last attempt. This action will be considered after all other measures have been exhausted, or if a tenant consistently fails to comply with agreed repayment plans or Specific Performance Orders (SPOs).

7.0 Financial Notifications and Support from the WHC

The WHC will assist tenants to meet their financial obligations by:

- The WHC will notify tenants immediately when rent and non-rent arrears are identified, this will be communicated by phone, followed by a formal letter.
- Sending out quarterly rent and non-rent account statements.
- Providing rent and non-rent statements when requested by a tenant.
- Providing water usage statements and invoices quarterly.
- Undertaking rent reviews and notifying tenants of changes to rental payments.
- Providing rechargeable maintenance notifications as they arise.
- Ensuring Centrepay is always up to date and amended with rent adjustments.

8.0 Early Intervention

The WHC focuses on early intervention as a critical strategy to manage rent and non-rent arrears effectively, which aims to prevent the escalation of arrears, and support tenants sustaining their tenancies. The following approaches outline the strategies undertaken by the WHC:

- Providing tenants with information on their personal obligations as outlined in the NSW Residential Tenancies Act 2010, specifically around rent and non-rent payments at the lease sign up, along with relevant factsheets.
- Timely communication with tenants to ensure payment of rent on time, negotiate repayment plans, along with gaining an understanding of tenant's personal circumstances.
- Coordinating referrals to financial counselling, or local support services to assist with financial hardship, when you request these and they are available.
- Utilising a proactive approach with tenant engagement, by maintaining regular check ins with tenants.

9.0 Former Tenant Debt

When tenants vacate a property, as outlined in the *Ending a Tenancy Policy*, the WHC will issue an invoice for any outstanding amounts. This amount must be paid within 14 days. Former tenants may choose to settle the debt with a one-off payment or by entering a repayment plan. Any unpaid amounts will be pursued through NCAT, and unresolved debts will affect the former tenant's eligibility for alternative housing until the debt is fully repaid.

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10.0 Complaints and Appeals

The WHC manages complaints and appeals in a consistent, transparent, and consistent way. Please refer to our Compliments, Complaints and Appeals Policy for more information.

To lodge a complaint, please refer to our e-form:
<https://www.womenshousingcompany.org.au/lodge-a-complaint/>

To lodge an appeal about a decision, please refer to our e-form:
<https://www.womenshousingcompany.org.au/appeal-a-decision/>

11.0 Relevant Legislation, Policies and Forms

EXTERNAL

NSW Civil and Administrative Tribunal (NCAT)
NSW Residential Tenancy Act 2020

INTERNAL

[Compliments, Complaints and Appeals Policy](#)
[Ending a Tenancy Policy](#)

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