

Community housing rent policy



Government
of South Australia
SA Housing Authority

Policy details

Name and version number: Community housing rent policy version 2

Policy Author: Monique Pringle

Date of review: 26 February 2021

Next review date: February 2023

Compulsory considerations

- This policy has been reviewed in its entirety for relevance, and is up to date.
- All feedback, issues and questions has been considered and addressed.
- The policy has been considered to make sure it doesn't have a disproportionate effect on any one social group, for example Aboriginal and/ or Torres Strait Islander people.
- Corporate and organisational risks have been considered and assessed.

Overview of the policy's development

Consultation with community housing providers on the Moderate Income Rent Charge was conducted by the Strategy and Governance team in October 2020 – to be implemented from 1 July 2021 for General Tenancies in community housing, in line with the same change to the [SA Housing Authority Rent Policy \(public housing\)](#). This change is noted under Community housing provider responsibilities in this policy.
Web links updated (NDIS, Income and Assets)

Approval

Director Business and Partnerships: Angela Allison

20 April 2021

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This policy provides an overarching framework for community housing providers to set rents based on Tenancy Type (see “policy Details” below) across a community housing provider’s property portfolio.

Community housing providers must adhere to the rent setting methodology specified in the following directive documents:

[Addendum 1: Community Housing Rent Procedure for General Tenancies](#)

[Addendum 2: Community Housing Rent Procedure for Supported Tenancies](#)

[Addendum 3: Community Housing Rent Procedure for Affordable Tenancies](#)

[Addendum 4: Community Housing Rent Procedure for NDIS-SDA Tenancies](#)

This policy applies to community housing providers registered under the [Community Housing Providers \(National Law\) \(South Australia\) Act 2013](#), which offer accommodation for tenants in both the social housing and affordable housing rental market. Specifically, this policy applies to:

- community housing tenants living in properties subject to or bound by a Community Housing Agreement between a community housing provider and the South Australian Housing Trust (SAHT) including the Master Community Housing Agreement (Master Agreement) and Project Agreements
- New Tenants (Tenancy Type 3) under the Renewing Our Streets and Suburbs (ROSAS) Housing Transfer Management Deed
- New Tenants (Tenancy Type 3) under the Better Places Stronger Communities (BPSC) Housing Transfer Management Deed
- any other agreement or lease which specifically states this policy is to be applied.

This policy doesn’t apply to:

- Project Agreements under the Master Agreement which have clearly articulated a different agreement for rent setting under the special conditions for special circumstances.
- Pre-existing Agreements under the Master Agreement only where the CHP and the SA Housing Authority have acknowledged in writing the intent to adopt those historical terms (different rent setting and eligibility requirements) in any replacement Project Agreement as a result of applying Clause 13 of the Master Agreement. Otherwise this Rent Policy and Procedure is to be applied.

If the rent payable by a tenant is not set in accordance with this policy and its supporting procedures the affordability of rent for tenants is potentially compromised. The SA Housing Authority will employ a variety of approaches to ensure ongoing compliance with this policy and supporting procedures. These may include:

- regular audits,
- matching to data submitted as part of the Annual AIHW Data Collection.

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Community housing provider responsibilities

Rent is set at an affordable level for low income households.

Rent is set at a level to reduce the gap between public and private rental costs for households with the capacity to transition to private housing

Rent is set in the same manner across the community housing sector, allowing some greater flexibility for community housing providers in Affordable Tenancy Types in particular.

Rent is set in a manner that is not administratively burdensome.

Where relevant, rent is set consistent with National Disability Insurance Scheme (NDIS) provisions to maximise Specialist Disability Accommodation (SDA) funding.

Rent method

The rent methodology will depend on the Tenancy Type assigned by the community housing provider at the point of offer (apart from exceptions as outlined above under 'this policy doesn't apply to').

Under the Master Agreement, and the Housing Transfer Management Deeds where applicable, the Portfolio Profile outlines the required number of each Tenancy Type which the Community Housing Provider must meet across its entire Portfolio (e.g. a portfolio of 105 properties might stipulate 80 General, 20 Supported and 5 Affordable Tenancy Types).

A tenant may be *eligible* for more than one Tenancy Type given their circumstances. The CHP must *assign* a Tenancy Type to each tenancy, being mindful of the Portfolio Profile obligations set out in the [Master Agreement](#).

General Tenancy Type

Community housing providers must assess and set rent for General Tenancy Types in accordance with the [Community Housing Rent Procedure for General Tenancies](#) (see under *Core Operating Policies and Procedures*).

To be eligible to be assigned to a General Tenancy Type, tenants must meet the [SAHT Eligibility Criteria](#) as defined in the [Community Housing Eligibility Policy](#) (see under *Core Operating Policies and Procedures*).

Supported Tenancy Type

Community housing providers must assess and set rent for Supported Tenancy Types in accordance with the [Community Housing Rent Procedure for Supported Tenancies](#) (see under *Core Operating Policies and Procedures*), which spells out that Supported Tenancy Types include Supportive and Supported housing program tenancies, and specialised housing programs where relevant.

To be eligible to be assigned to a Supported Tenancy Type:

- A tenant must meet the [SAHT Eligibility Criteria](#) as defined in the [Community Housing Eligibility Policy](#) AND

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- The tenant must have an eligible package of support as defined in [Community Housing Rent Procedure for Supported Tenancies](#) AND
- The support package must correspond to one of the Tenancy Type Sub-Categories listed in the CHP's Portfolio Profile under the [Master Agreement](#).

Not all tenants who have support will be eligible for a Supported Tenancy Type rent calculation. Where the package of support is not one of those listed as eligible, or where the CHP is not contracted under the Master Agreement or ROSAS Housing Transfer Management Deed to provide housing for that type of support package, the tenancy should be considered a General Tenancy Type (provided it meets relevant eligibility criteria for that Tenancy Type).

Affordable Tenancy Type

Community housing providers must assess and set rent for Affordable Tenancy Types in accordance with the [Community Housing Rent Procedure for Affordable Tenancies](#) (see under *Core Operating Policies and Procedures*).

To be eligible to be assigned to an Affordable Tenancy Type, a tenant must meet the [SAHT Eligibility Criteria](#) as defined in the [Community Housing Eligibility Policy](#).

Specialist Disability Accommodation Tenancy Type

Community housing providers must set rents according to the [Community Housing Rent Procedure for NDIS-SDA Tenancies](#) (see under *Core Operating Policies and Procedures*), consistent with NDIS requirements, where SDA funding is received by a tenant under the National Disability Insurance Scheme.

To be eligible to be assigned to an SDA Tenancy Type, a tenant must meet the [SAHT Eligibility Criteria](#) and must receive [SDA funding](#) from the National Disability Insurance Scheme (NDIS).

Related information

Controlling documents

This policy is based on and complies with:

- [Community Housing Providers \(National Law\) \(South Australia\) Act 2013](#)
- *National Regulatory System Community Housing - Regulatory Framework*
- [Residential Tenancies Act 1995 \(SA\)](#)

Supporting guidelines

- [Addendum 1: Community Housing Rent Procedure for General Tenancies](#)
- [Addendum 2: Community Housing Rent Procedure for Supported Tenancies](#)
- [Addendum 3: Community Housing Rent Procedure for Affordable Tenancies](#)
- [Addendum 4: Community Housing Rent Procedure for NDIS-SDA Tenancies](#)

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Related policies and other documents

- [NDIS Terms of Business for Registered Providers](#)
- [Community Housing Policy – Eligibility](#)
- [Community Housing Procedure – Eligibility](#)
- [Housing Transfer Management Deeds](#)
- [Community Housing Agreement \(Master Agreement\)](#) - An agreement entered into between the South Australian Housing Trust (SAHT) and a community housing provider, pursuant to section 20 of the *Community Housing Providers (National Law) (South Australia) Act 2013* including all attachments, annexures and schedules to it; and any agreement, deed or instrument executed under or which is subject to or bound by the *Master Community Housing Agreement* (including but not limited to Project Agreements, Deeds of Statutory Charge and Pre-existing Agreements).
- See [the NDIS website](#) for more information.
 - <https://www.ndis.gov.au/media/865/download>
 - <https://www.ndiscommission.gov.au/about/legislation-rules-policies>
 - <https://www.ndis.gov.au/providers/working-provider/connecting-participants/service-agreements>
 - <https://www.ndis.gov.au/providers/housing-and-living-supports-and-services/housing/specialist-disability-accommodation>

Date this policy applies from

1 July 2021

Version number

2

The online version of the policy is the approved and current version. There is no guarantee that any printed copies are current.