Community housing Eligibility policy

Government of South Australia
SA Housing Authority

Policy details

Name and version number: Community Housing Eligibility Policy v3

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Date of review: 1 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 - eg Aboriginal and/ or Torres Strait Islander people.
- Corporate and organisational risks have been considered and assessed.

Overview of the policy's development

This is your historical record of how this policy was developed. Include information about what's changed and why, who was consulted and when:

- This policy replaces the Community Housing Core Operating Eligibility policy.
- The name has been changed to Community Housing Eligibility Policy
- SAHT Operational policy template used
- Updated to support implementation of Single Housing Register in March 2021.
- Scope extended to tenancies under SAHT Housing Transfer programs (BPSC and ROSAS) (Noting that SAHT directly allocates to SAHT-owned new builds in the SAHT Transfer program prior to transfer to CHP where applicable).
- Scope extended to include all specialised housing lease programs
- Moved the Income and asset limits section re how these calculated moved to the [Income and asset eligibility webpage.](#)
- Clarified policy position for current social housing tenants applying for other types of social housing.
- Clarified that Categories for community and public housing have the same definition
- Removed references for interstate residents to Category 1, the Australian Defence Forces, and reuniting with family resident in South Australia.
- Clarified that the relationship breakdown and household need exemptions to the property ownership criteria with approval from CHP Manager.
- Changed language from 'has an interest in residential property' to 'own or partly own residential property' as this reflects plain language.
- Added that if a customer is housed based on temporary need exception to property ownership, they're offered a short-term lease.

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Community housing is for people on low incomes or moderate incomes, particularly those who have difficulty accessing and maintaining housing in the private market, or people with additional needs. Community housing is delivered by non-government organisations, and demand for community housing exceeds the number of properties available.

This policy sets out:

- who is eligible for community housing
- how need is assessed
- the different categories of need
- different program and tenancy types

This policy applies to:

- providers registered under the National Regulatory System for Community Housing including volunteer member-tenant managed providers who have a community housing agreement (eg Master Agreement) with the South Australian Housing Trust or the SA Housing Authority
- non-government organisations which have housing leases with the South Australian Housing Trust (SAHT) which reference this policy, including specialised housing programs
- community housing tenants transferring to a separate social housing provider

In relation to SAHT Transfer programs for example Better Places Strong Communities (BPSC) and Renewing our Streets and Suburbs (ROSAS):

- This policy applies to eligibility of registrants allocated to properties *managed by a provider* under a concurrent lease associated with a Transfer program. This includes:
  - properties owned by SAHT where management responsibilities have been formally transferred to a provider (eg via transfer deed and concurrent lease)
  - properties developed and owned by the provider, as a result of development activities under the Transfer Program
- This policy does not apply to properties *under SAHT management*, and specifically does not apply to new build properties developed by a provider under the Transfer Program, where ownership is (or is planned to be) transferred to SAHT. SAHT is responsible for all those allocations.

This policy does not apply to internal tenant transfers within individual community housing provider portfolios. Internal transfers are covered by the provider's own policies.

Eligibility criteria

People who are eligible in line with this Community Housing Eligibility policy can register their interest in community housing. People can also register for public and Aboriginal housing if they're eligible in line with the Housing SA Eligibility for housing policy. The

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registrations are placed on the Single Housing Register. The person who registers their interest is called the registrant. People can register by contacting a community housing provider or Housing SA.

People are eligible for community housing if they meet all the below conditions:

- they can verify that they live in South Australia
- they have an independent income
- no one in their household owns or partly owns residential property (exceptions below)
- they meet the income and asset limits
- they are not already a community housing, public or Aboriginal housing tenant (some exceptions apply, see below section on Current tenants).

Information about independent income, assessable income, and how the income and asset limits are calculated is located on the SA Housing Authority Income and Asset Limits webpage and the Assessable Types of Income webpage.

People who don't meet the income and asset limits may still be eligible to register their interest if they meet all other conditions and they are eligible for Category 1 or 2 or meet the exceptions outlined below.

Residential property exceptions

People are considered to own or partly own residential property if either of the below apply:

- they are recorded on, or hold the title of, a residential property, for example Torrens, strata, community or moiety title
- they have a valid form of lease or agreement for a dwelling sited on a title owned by someone else, for example a cabin sited on Crown land, a transportable home sited in a caravan park.

None of the below are considered to be residential property:

- motor homes or caravans
- vacant land
- a dwelling that's uninhabitable
- property with a commercial use only, for example shop or office
- land zoned for primary production that doesn't have a habitable dwelling

If someone on the registration owns or partly owns residential property, they may still be eligible in any of the following situations, with approval by CHP Manager.

Relationship breakdown

People may be able to register if their relationship has broken down and:

- they are eligible for Category 1, and

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- their former partner still lives in the property they jointly own.

Domestic abuse

People may be eligible to register if they meet all the below conditions:

- they need to leave the property they jointly own because of domestic abuse
- their former partner still lives in the property
- disposing of their ownership in the property is delayed.

Residential property owner with a disability

A property owner with a disability may be eligible to register and does not have to sell their residential property if they meet the conditions in section 3.5 Community Housing Eligibility Guidelines.

Household need

People may be eligible to register if they are eligible for Category 1, and the equity in their property isn't enough to buy or rent another home that meets all the below conditions:

- it is in the area they need to move to
- it is large enough for the household
- it is affordable

The property should be listed for sale before the registrant is allocated to a community housing property.

Temporary need

People may be eligible to register if they or someone in the household needs to move away from home temporarily but wants to eventually move back, for example for medical treatment.

They will only be offered housing on a short-term lease.

Other situations

Where a customer owns or partly owns residential property, but is not in one of the extenuating situations listed above, the community housing provider may:

- offer a probationary lease agreement in line with the Community Housing Allocation Policy, for example while they dispose of their ownership in the property
- regularly review the tenant's eligibility for community housing

Where it is discovered that a tenant owns or partly owns residential property, but is not in one of the extenuating circumstances listed above, the community housing provider may, after considering individual circumstances:

- charge market rent in line with the Community Housing Rent Policy

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- ask the tenant to dispose of their ownership of the property, for example by selling it, having their name removed from the title
- end the tenancy in line with the Conditions of Tenancy or the community housing provider's policy.

Current tenants and other occupants

Current Housing SA or community housing tenants aren't eligible to register for community housing except if one of the following circumstances apply:

- they're housed on a short-term lease, for example through the Short Term Housing Program, Homelessness Supportive Housing Program, or Transitional Housing Program
- they or the property they rent is being relocated as part of a SAHT approved redevelopment program, for example a SAHT Housing Transfers program (such as Renewing Our Streets and Suburbs). Note: where tenants are being recommended to be relocated into a new build property developed by a CHP under the Transfer Program, where ownership is (or is planned to be) transferred to SAHT, tenants must meet eligibility criteria in the SAHA eligibility for housing policy. In such instances, the Authority makes the allocation, consistent with its policies, even if the management of that property (and any in situ tenants) is subsequently transferred to a CHP.

If they're a current community housing tenant, they may be eligible to register for a transfer within that community housing provider in line with a community housing provider's policy.

Partners of current Housing SA or community housing tenants aren't eligible to register for community housing while they're living with the tenant, except if either:

- they need to leave because of domestic abuse verified in line with the provider's own policy (refer to SA Housing Authority Domestic abuse policy for guidance)
- they want to leave because the relationship has broken down and they can verify it, for example provide evidence of separate Centrelink incomes

Current Housing SA or community housing tenants and their partners may be eligible to register their interest in public or Aboriginal housing, or housing in Aboriginal communities if they're eligible in line with the Housing SA Eligibility for housing policy.

Other occupants, including the tenant's children, can register at any time provided they're eligible.

Additional eligibility criteria

Community housing providers are able to set out additional eligibility criteria in their policies, and where this is set up, they can use the shortlist filters in the Single Housing Register to exclude registrants who don't meet those additional criteria (see examples in the Community Housing Allocations guideline).

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Categories

Registrations for community housing are prioritised and placed in a category based on the registrant's need for housing and the urgency of their situation. The main categories 1, 2 and 3 are the same for public and community housing and are listed in the [CH Allocations policy](#) and in the [Housing SA Housing registration and allocation policy](#)[1]. Public housing also has Category 4 and Low Demand housing.

Community housing providers consider all the below when [assessing a registrant's need](#) for housing:

- their accommodation history
- their individual need
- the circumstances of anyone else included on their registration of interest
- the housing options available to the person or household

Tenancy types

Community housing providers offer properties and manage tenancies in line with their contractual requirements with SAHT. Their contracts require them to maintain certain numbers of each tenancy type within their portfolio.

At allocation, community housing providers allocate people to a tenancy type – General, Supported or Affordable and to a specific housing program within the tenancy type. People need to meet additional or specific criteria to be housed under particular tenancy types.

The eligibility criteria for each tenancy type are listed below. The specific housing programs under each tenancy type are listed in the [CH Allocations guideline](#).

General and Affordable tenancy type

People must meet the [eligibility criteria](#), including any additional eligibility criteria set by a community housing provider.

Supported tenancy type

People must meet the specific eligibility criteria for these [supportive and supported housing programs](#):

- [Aged Homeless Assistance Program](#)
- [Homelessness Supportive Housing Program](#)
- [Integrated Housing Exits Adult Program](#)
- [Integrated Housing Exits Youth Program](#)
- [Mental Health Supported Social Housing Program](#)

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[1] Where changes are made by the SA Housing Authority to public housing policy, changes will also be made to community housing policy, subject to consultation.

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Supported Disability

People must:

- be a National Disability Insurance Scheme (NDIS) participant
- have housing goals in their NDIS plan
- need accommodation
- be in receipt of a Supported Independent Living (SIL) service from a specialist disability services provider.

Specialised housing programs

Most programs below adhere to the Specialised Housing Program policy; however, each individual program lease will stipulate if this policy applies:

- Transitional Housing Program – any person who is currently or at risk of becoming homeless can be considered for this program by referral through a Specialist Homelessness Service.

- Boarding House Program – any person is eligible for this program if currently or at risk of becoming homeless, transient, have a housing disadvantage or need support services.

- Disability Housing Program – for people with a greater level of disability than tenants in public and Aboriginal housing or general community housing. Properties are leased to Community Housing Providers that provide housing to people with a diagnosed disability.

- Specialised Lease Program – consists of properties leased to Government and nongovernment organisations for residential purposes that do not fit into other categories of Specialised housing programs. For example, properties leased to establish innovative projects or properties leased to support people with high/complex needs while they participate in special programs. Properties may also be allocated to address demand in a particular social demographic – e.g. youth or refugees.

Related laws, policies and other documents

Controlling documents

This policy is based on:

- *Community Housing Providers (National Law) (South Australia) Act 2013*
- National Regulatory System Community Housing (NRSCH) Regulatory Framework
- Master Community Housing Agreements
- Residential Tenancies Act 1995 (SA)
- Single Housing Register Access Deed
- Data Sharing Agreement under the Public Sector (Data Sharing) Act 2016

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Supporting procedures/guidelines

- [Community housing Allocations guideline](#)
- [Community housing Managing the housing register guideline](#)

Related policies and other documents

- [Community Housing Eligibility policy](#)
- [Housing SA Eligibility for housing policy](#)
- [Homelessness Supportive Housing Program policy](#)
- [Integrated Housing Exits Adult Program policy](#)
- [Integrated Housing Exits Youth Program policy](#)
- [Aged Homeless Assistance Program policy](#)
- [Mental Health Supported Social Housing Properties policy](#)
- [Specialised Housing Program policy](#)
- [Transitional housing program policy](#)
- [Boarding house program guideline](#)
- [Community lease program guideline](#)
- [Crisis housing program guideline](#)
- [Disability housing program guideline](#)
- [Specialised lease program guideline](#)
- Register for public and community housing - www.sa.gov.au
- Income and asset eligibility limits - www.sa.gov.au
- Assessable income types for Housing SA and community housing - www.sa.gov.au
- Proof of income, identity and rent - www.sa.gov.au
- Verifying special circumstances - www.sa.gov.au
- Eligibility and housing needs assessment - www.sa.gov.au

Date this policy applies from

1 March 2021

Version number

1

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