

Sustaining Tenancies Policy

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1. Introduction

Building Communities (Vic) Ltd (BCVL) is committed to working with renters to achieve successful, sustainable tenancies. BCVL recognises the complexities associated in maintaining tenancies for renters experiencing high levels of disadvantage or with complex needs. BCVL takes a renter focused approach to all its procedures and work practices within its housing services and/or provisions.

2. Aim

BCVL aims to work proactively to build positive and functional relationships with renters through high quality practice in order to help renters successfully sustain their own tenancies. BCVL is committed to maximising housing stability for renters, as a fundamental requirement to enable people to build their lives and communities. BCVL will ensure that all its housing management policies, procedures and work practices are directed to sustaining tenancies. BCVL aims to avoid evictions and exits into homelessness at all times. The principles of this policy are to be implemented by all staff managing or involved in the management of tenancies on behalf of BCVL.

3. Principles of BCVL Sustaining Tenancies Policy

3.1 Clear communication

All renters will be given clear information about their tenancies regarding their rights, responsibilities, rent and any associated costs, status of their tenancy, maintenance reporting, dispute resolution options and legislative requirements under the various State Residential Tenancies Acts.

3.2 Eligibility and allocations

Working within program guidelines and legislative requirements, BCVL will use allocation strategies to facilitate sustainable tenancies. During application, eligibility assessment and allocation processes, BCVL will work proactively with customers to identify any barriers to sustaining tenancies, and will take customers' needs, preferences and tenancy skills into account in making allocations. Where applicable, BCVL will also take into account the needs and preferences of other household members.

At the establishment of a new tenancy, BCVL will work proactively with renters to ensure that they understand their rights and responsibilities, the features of their property, how rent is calculated, how to contact BCVL and what they can expect of BCVL during their tenancy. BCVL will maintain engagement with new renters throughout the tenancy establishment phase to help them settle into their property and community and if/where required engage with support providers.

3.3 Affordability

BCVL will always endeavour to avoid practices that disadvantage renters. BCVL will maintain rents that are affordable and use fair and transparent processes when handling arrears or rent adjustments within the requirements of the relevant Residential Tenancies Acts and contractually stipulated rental rates. BCVL makes every attempt to develop and manage

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housing which is affordable, suitable and of quality to support and enhance liveability in our properties for our renters.

BCVL sets rents as per the BCVL Rent Setting Policy and program-based requirements for its portfolios, including Commonwealth Rent Assistance paid to the renter by Centrelink should they be eligible.

BCVL will work with renters to identify any supports that may be required to prevent debt and other financial difficulties, to ensure that housing remains affordable.

3.4 Rent arrears and renter debt

BCVL will work very closely with renters during the first three months of tenancies to build a relationship of trust and respect, establish regular rent and tenancy related payment practices. This will continue for any renters who have been identified as experiencing financial difficulties or tending to fall into arrears. BCVL understands that non-payment of rent is one of the primary issues that can place pressure on the sustainability of the tenancy.

BCVL will work closely with renters and/or their supports to ensure continuity of payment in changing circumstances, for example, in cases where there is hospitalisation, residential respite or treatment stays and/or short-term imprisonment, rent can still be collected and paid by electronic methods, including Centrepay or Direct Debit.

BCVL manages all renter debt with discretion in accordance with operating procedures. BCVL is committed to ensuring renters are empowered to access support and develop strategies and payment agreements that increase their financial confidence. BCVL will communicate with renters quickly to act on minor arrears as it recognises that prevention strategies are more effective than reacting to issues once they develop.

3.5 Assistance for impacts of community crisis/emergency

BCVL is committed to assisting its customers to sustain their tenancies during times of emergency and/or crisis, such as but not limited to, bushfires, floods, and pandemics. BCVL is aware that such situations may affect its customers' ability to meet their financial obligations in relation to the payment of their rent and/or other payable tenancy charges.

BCVL will consider its capacity to assist renters during such times and may introduce practices that assist renters to sustain their tenancies during difficult times, such as postponing or cancelling rent reviews and/or putting a moratorium on rent increases for a certain period of time.

Renters will be notified in writing by BCVL of any decisions it may make during such situations and encourages its renters to speak with their BCVL Housing Officer if they are affected by such an event.

3.6 Renter engagement

BCVL values its relationships with its customers and understands the importance of early intervention with vulnerable customers and those most at risk of not being able to sustain their tenancy. BCVL will tailor its engagement with its renters to meet their needs and ensure the method is appropriate for the environment and circumstance.

BCVL's service providers housing officers are mentored to ensure that each incident of a failing tenancy is assessed based on its own circumstances and a suitable strategy is developed to work with the customer using a capacity building approach. This would take into account various challenges the customer may have including financial, health, mental health, living skills, responsiveness to contact, age/frailty, youth, incidences of domestic and family violence. This assessment will directly inform the methods and types of engagement used to correct a failing tenancy and support the customer into sustainability.

3.7 Support coordination

BCVL will work with renters to identify proactively, any additional tenancy skills they require in order to maintain their own tenancies. BCVL will also engage with renters to identify any other supports, resources or opportunities which would help overcome any barriers to successful tenancies. Acknowledging the importance of separating housing management from provision of support, BCVL will coordinate support for renters where appropriate, including via referral to support partners.

BCVL works closely with renters and, if required, relevant support providers to assist renters to maintain their tenancies. This may include resolving neighbour disputes, identifying where renters may need assistance with household tasks, daily occupations and/or yard work, putting arrears management and debt management plans in place as an alternative to eviction, linking people to support services through agreements and protocols developed with agencies and applying the BCVL Hardship Policy.

3.8 Customer Feedback and Appeal of Decisions

BCVL welcomes its renters to query any decisions it makes and/or ask questions about our work practices. BCVL will promptly respond to any disputes that arise in relation to tenancy issues. This includes issues that affect a customer based on decisions made by BCVL, including neighbourhood issues and renter to renter issues. BCVL ensures it provides clear and accurate information to renters and prospective renters, however, from time to time, a renter or prospective renter may feel adversely affected by a decision.

If a renter wishes to provide feedback to BCVL and/or believes a decision made by BCVL is incorrect, they can lodge customer feedback and/or an appeal using the BCVL Customer Feedback Policy or the BCVL Appeals Policy.

3.9 Changing needs of renters

BCVL acknowledges that renters' and household members' needs and priorities change over time. BCVL will endeavour to meet renters' changing needs within program guidelines, legislative requirements and available funding. BCVL will work closely with renters whose circumstances change suddenly for example as a result of ill health, domestic and family violence, bereavement or other life event, to coordinate additional supports as required.

Requests from renters to modify their property or transfer to another property because of changing needs will be managed fairly and flexibly. BCVL will consider safety issues regarding location and/or family breakdown, any required property modifications to meet the customer's needs, including disability modifications (refer to BCVL Disability Modifications Policy), and overall housing and asset strategies.

3.10 Ending tenancies

BCVL views evictions as a last resort option and will only initiate proceeding with the eviction of a renter when all other means of engagement and issue rectification options to assist the renter with sustaining their tenancy, have failed. With all evictions, BCVL will make available information regarding an external tenancy advocate to represent the customer at a Tribunal/Court Hearing.

At all stages of the eviction process, BCVL will make it clear to renters the actions they can take to restore their tenancy. BCVL will be fair and reasonable in seeking performance orders and will be flexible and responsive in adjusting performance orders to maximise the renter's capacity to comply and maintain their tenancy. BCVL will always consider the human rights of its renters throughout this process.

BCVL will comply with all legislative requirements and processes prescribed under state residential tenancies acts and regulations, and contract requirements, as well as within the guidelines of the BCVL customer promise, BCVL policies and procedures, related legislation, industry frameworks and standards. Where possible, BCVL will assist exiting renters to secure alternative housing for example, by providing tenancy references and minimising barriers to rehousing.

4. Related legislation, frameworks, policies and procedures

4.1 Legislation

Housing Assistance Act 1996 (COM)
Housing Act 1983 (VIC)
Residential Tenancies Act. 1997 (VIC)
Residential Tenancies Amendment Regulations 2021 (Vic)
Planning and Environment Act 1987 (Vic)
Charter of Human Rights and Responsibilities Act 2006 (VIC)
National Disability Insurance Scheme

4.2 Codes, frameworks and agreements

The National Affordable Housing Agreement
OOH, Homelessness Assistance Program Guidelines and Conditions Funding 2006-2009 (VIC)

Codes, frameworks and agreements (cont.)

Consumer Charter for Community Managed Housing and Homelessness Services
Victorian Community Housing Regulatory Framework
National Community Housing Standards
Department of Human Services Standards
NDIS Practice Standards and Quality Indicators
NDIS Code of Conduct

4.3 BCVL related policies and processes

Housing and Homelessness Policies and Procedures
Customer Feedback and Appeals Policy and Procedures
Privacy Policies and Procedures

5. Monitoring and review

This document should be periodically reviewed and revised. Revisions should be made as and when required. The period between reviews must not exceed two years. The date for review of this document is on or before April 2025. Training will be provided to each staff member and the Board as a component of their induction.

Review history

Date and version	Reason for review	Review frequency	Owner	Approver
Version 1.0, April 2023	New	Every two years	Company Secretary	Chief Executive Officer

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