

Waverley Affordable Housing Program Tenancy Policy

- First draft approved by Council in April 2012 for use in the tender process for an Affordable Housing Manager, finalised in November 2012
- Revised Draft October 2013, endorsed for public exhibition in November 2013
- Final Draft, endorsed by Council June 2014

DEPARTMENT: Caring Waverley
DATE CREATED: May 2014
DATE ENDORSED BY COUNCIL: June 2014
NEXT REVIEW DATE: June 2019
TRIM REF: A14/0378
Appendix update: July 2019

Table of contents

1.	Introduction	3
2.	Aims	3
3.	Purpose	3
4.	Coverage	3
5.	Requirements	3
1.	Eligibility	3
	1 Criteria	3
	2 Income Eligibility Limits - Entry	4
	3 Tenure	4
	4 Reassessment	4
2.	Allocation	5
	1 Allocation of a Vacancy	5
3.	Rent	5
	1 Rental Bonds	5
	2 Rent Setting	5
	3 Determining Market Rent	5
	4. Annual Rent Reviews	5
	5 Rent Payment	5
	6 Rent Arrears	5
6.	Rights and Obligations	6
	1 Residential Tenancies Act (NSW) 2010	6
	2 Tenancy Agreements	6
	3 Annual Inspections	6
7.	Review	6
8.	Appendices	7
	1: WAHP Accommodation	7
	2: Median Household Income Limits	8
	3. Target for Low Income Households	9
	4: WAHP Supporting Documentation	10
	5: WAHP References	11

Acknowledgement

This policy is written with reference to the Department of Family and Community Services *NSW Affordable Housing Ministerial Guidelines*

Revisions		
Revision Date:	Council Meeting:	Council Resolution No.
May 2014	June 2014	CRD.41/14

1. Introduction

Over many years, Waverley Council has built up a small portfolio of accommodation to enable the provision of limited term affordable accommodation for residents earning low to moderate incomes. The Program operates independently of state or federal government support. Council contracts with a Registered Community Housing Provider for management of the Program, which is known as the Waverley Affordable Housing Program (WAHP).

2. Aims

Waverley Council's Affordable Housing Program aims to maintain diversity in the Waverley community through the provision of affordable housing within a range of residential building types. The program targets households on low to moderate incomes who can demonstrate a connection to the Waverley area.

Tenants have a maximum of three years on the Program. Rents are set at 25-35% off median market rental for a comparable property in Waverley at the time of commencement, depending on each tenant's income and the target set by Council for the inclusion of low income households.

3. Purpose

This policy sets out Waverley Council's requirements for the allocation and management of tenancies in the Waverley Affordable Housing Program. It is intended to ensure that the Program makes an effective contribution to the pool of accommodation support available through various programs for low to moderate income earners, and that its operation is consistent with expectations for the delivery of affordable housing through Community Housing Providers.

It sets out criteria for eligibility, requirements for allocation and rent charges, and tenants' rights and obligations. These are consistent with *NSW Affordable Housing Guidelines*.

4. Coverage

The policy applies to properties within Waverley Council's Affordable Housing Portfolio. These properties are owned or leased by Council for the purpose of providing affordable rental accommodation in Waverley.

The description of the portfolio attached at Appendix 1, is reviewed regularly and updated as required

5. Requirements

5.1 Eligibility

5.1.1 Criteria

To be eligible an applicant must establish their identity, and provide proof that they:

- Are a citizen or have permanent residency in Australia
- Are over the age of 18 years
- Live in the Waverley Local Government Area at the time of application and have lived in the LGA for at least three years prior, or if living in another LGA at the time of application that they have lived and/ or worked in the Waverley LGA for at least five years in the previous ten years
- Do not own assets or property that could reasonably be expected to be used to solve their housing needs
- Do not already have an allocation of secure subsidised housing in the local government areas of Waverley, Woollahra, Randwick, Botany or City of Sydney
- Have a household income within the specified income eligibility limits.

Employees of Waverley Council and their immediate relatives, and employees of Council's Community Housing Manager are not eligible for the Program.

Companion animals are not allowed.

Applicants must provide evidence to support their application for housing. A list of supporting documentation required is at Appendix 4.

5.1.2 Income Eligibility Limits - Entry

Applicants must provide proof that their total average gross household income, taken over the two years preceding their application for the Program:

- Enables payment of rent at the rate set
- Does not exceed 120% of the median household income for Sydney as published annually in the NSW Affordable Housing Guidelines.

Definitions of income will be consistent with the definition set out in the *Community Housing Rent Policy*.

5.1.3 Tenure

One three year period is the maximum available to any tenant in the Waverley Affordable Housing Program. Succession or transfer of tenure is not allowed.

5.1.4 Reassessment

Each tenant's eligibility to remain on the Program will be assessed annually at the end of each fixed term lease period.

Tenants must provide proof that their total gross household income:

- Enables payment of rent at the rate set
- For a single adult household, does not exceed 120% of the median household income for Sydney as published annually in the NSW Affordable Housing Guidelines
- For households including more than one person over 18, does not exceed 145% of the median household income for Sydney, including a 25% provision for larger households.

5.2 Allocation

5.2.1 Allocation of a Vacancy

Vacancies in the WAHP will be advertised. Advertisements will clearly stipulate eligibility criteria. Applicants who fulfil the eligibility criteria will become eligible applicants. Eligible applicants whose household size matches the property size available will be short listed. If necessary, a ballot will be drawn from these short listed applicants.

Eligible applicants will be advised of vacancies in the Program that are appropriate to their needs for a period of 12 months following their original application.

5.3 Rent

5.3.1 Rental Bonds

A rental bond equivalent to two weeks rent is required.

5.3.2 Rent Setting

The rent set for properties in the Waverley Affordable Housing Program is 25% off the median weekly market rent in the Waverley Local Government area for a comparable property at the time of commencement.

An additional rent reduction of up to 10% from the median will be provided to meet the target set by Council for inclusion of low income earners in the Program. Updates will be published annually as an attachment to the Policy at Appendix 3.

5.3.3 Determining Market Rent

The *Housing NSW Rent and Sales Report*, published quarterly, is used to establish the median weekly market rent in Waverley for a comparable property. Property types are:

- studio or one bedroom unit
- two bedroom unit.

5.3.4 Annual Rent Reviews

Rent will be adjusted annually, by whichever is the lesser amount generated by application of:

- the annual 'All Groups' CPI for Sydney, or
- the current rent set for new tenancies for that property type.

5.3.5 Rent Payment

Rent payment is required fortnightly in advance.

5.3.6 Rent Arrears

A tenant who falls into arrears with their rent payments will be given a reminder and provided with an opportunity to negotiate a program of repayments at one week in arrears. Legal action will commence if these provisions have not resulted in an agreement at two weeks in arrears.

6. Rights and Obligations

6.1 Residential Tenancies Act (NSW) 2010

The rights and obligations of Council and its tenants in the Waverley Affordable Housing Program will be consistent with the Residential Tenancies Act (NSW) 2010.

6.2 Tenancy Agreements

Council or its agent will enter into a residential tenancy agreement with the tenant for a property in the Program, in accordance with the Residential Tenancies Act (NSW) 2010, every 12 months for up to three years so long as the tenant remains eligible for the Program.

6.3 Annual Inspections

Council or its agent will conduct an inspection of the unit annually.

7. Review

7.1 Review and update

This Policy will be reviewed at least every five years. It will be updated as required to ensure consistency with relevant legislative and policy requirements. The first review date is June 2019.

Appendices will be reviewed annually in July and updated as required.

Appendix 1

Waverley Affordable Housing Program

Accommodation

July 2019

Properties held in perpetuity	Age	1 bed	2 bed	Lease End
Bondi	2004	1		
Bondi	2004	1		
Bondi	2005	1		
Bondi	2011	1		
Bondi	2008	1		
Bondi	2005	1		
Bondi	2008	1		
Bondi Beach	2000	1		
Bondi Beach	2013	1		
Bondi Junction	2004	1		
Bondi Junction	2000	1		
Queens Park	2007	1		
Queens Park	2011	1		
Vaucluse	2003	1		
Rose Bay	2002		1	
Bondi	2003		1	
Bondi	2005		1	
Bondi	2005		1	
Bondi	2005		1	
Bondi Junction	2002		1	
Bondi Junction	2000		1	
Randwick	1935		1	
Randwick	1935		1	
		15	9	24
Leased Properties				
Bondi	2008	1		7/12/2024
		1		1
		16	9	25

Appendix 2

Median Household Income Levels by Income Band

At July 2019

Income Bands	% of Median Income	Annual Household Income Range (Sydney) 2018-19
Very Low	< 50% median	< \$46,700
Low	50-80% median	< \$74,700
Moderate	80-120% median	< \$112,100

Source: NSW Affordable Housing Ministerial Guidelines Appendix Household Median Incomes 2018-19 Table 1. Updated annually

120% of the median household income (Sydney) is the upper income limit for entry to Waverley Affordable Housing Program.

Appendix 3

Waverley Affordable Housing Program

Target for Low Income Households for 2018/19

July 2019

Target for Low income households

One third of the portfolio.

Rent setting for households within the target group

The rent set for households within the target group is up to 35% off median market rent in the Waverley Local Government Area for a comparable property at the time of commencement.

The amount of rent subsidy for each low income household will be determined with reference to the household's income. It will aim to achieve a rent that is no more than 30% of a household's income.

Income Eligibility Limits for households within the target group

Income Bands	% of Median Income	Annual Household Income Range (Sydney) 2018-19
Lower limit	> 67% median	< \$62,578
Upper limit	< 80% median	< \$74,720

The amount of rent subsidy offered provides the lower income limit for entry to the Waverley Affordable Housing Program.

Appendix 4

Waverley Affordable Housing Program **Documentation required to support an application** July 2019

It is important that all requested documents are provided to assess applications:

Proof of Identity

Provide any TWO from the list below for each person over 18 years listed on your application:

- a) Birth certificate
- b) Marriage certificate
- c) A current passport
- d) Medicare card
- e) Department of Corrective Services Release Card
- f) Motor vehicle driver's licence.

Proof of Citizenship/Residency (you must be an Australian citizen or permanent resident)

Provide ONE from this list for each person over 18 years listed on your application:

- a) Birth certificate
- b) A current Australian passport
- c) A current passport if not an Australian citizen
- d) Citizenship certificate/papers.

Proof of Residency in the Waverley LGA

Applicants must show that they have lived in the Waverley LGA for three years or at least years over the last ten years.

Provide any TWO of the following:

- a) Copy of Tenancy Agreement(s) in your name
- b) Water, Gas, Electricity Phone Bill in your name.

Proof of Income

Provide ANY from this list which apply to each person over 18 years listed on your application:

- a) If in receipt of a Centrelink income – a current income statement from Centrelink stating the type of benefit and amount (or signed Centrelink Authorisation Form that allows access to confirm your benefit details).
- b) If a wage or salary earner (full time, part time, casual earnings) – Provide ALL listed below:
 - i) Employer letter indicating your salary and length of time employed with current employer.
 - ii) Pay Slips
 - iii) Income tax return for the past two years
- c) If self employed
 - i) Profit and Loss Statement for the past two years
 - ii) Income tax return for the past two years.

Proof of Current Assets

Provide for each person over 18 years listed on the application:

- a) A savings bank pass book, bank statements for the last four weeks for an account which is used regularly (or current ATM mini statement listing the last 4 weeks transactions and verified against the ATM card)
- b) Records of any cash, shares or term deposits
- c) Proof of assets (e.g. share certificates, market valuation of any property owned by any member of the household).

Appendix 5

Waverley Affordable Housing Program

References

July 2019

NSW Affordable Housing Ministerial Guidelines:

<https://www.facs.nsw.gov.au/download?file=576199>

NSW Community Housing Rent Policy:

<https://www.facs.nsw.gov.au/housing/community-housing-policies/rent>

Housing NSW Rent and Sales Report:

<https://www.facs.nsw.gov.au/resources/statistics/rent-and-sales/dashboard>