

Introduction to Social Housing Law and Policy

Webinar



Redfern Legal Centre



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Acknowledgement Of Country

Outline

1. Law and Policy overview
2. Getting housed or transferred
3. Appeals
4. Repairs
5. Termination

Resources <https://rlc.org.au/training/resources/housing>

1. Law and Policy overview

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- *Residential Tenancies Act (NSW) 2010*
- *NSW Civil and Administrative Act (NSW) 2013*
- *Family and Community Services (FaCS) Housing Policy*
- *Community Housing Provider's Policies*

**Residential
Tenancies Act
(NSW) 2010**





NSW Civil and Administrative Act (NSW) 2013



**Family &
Community
Services**

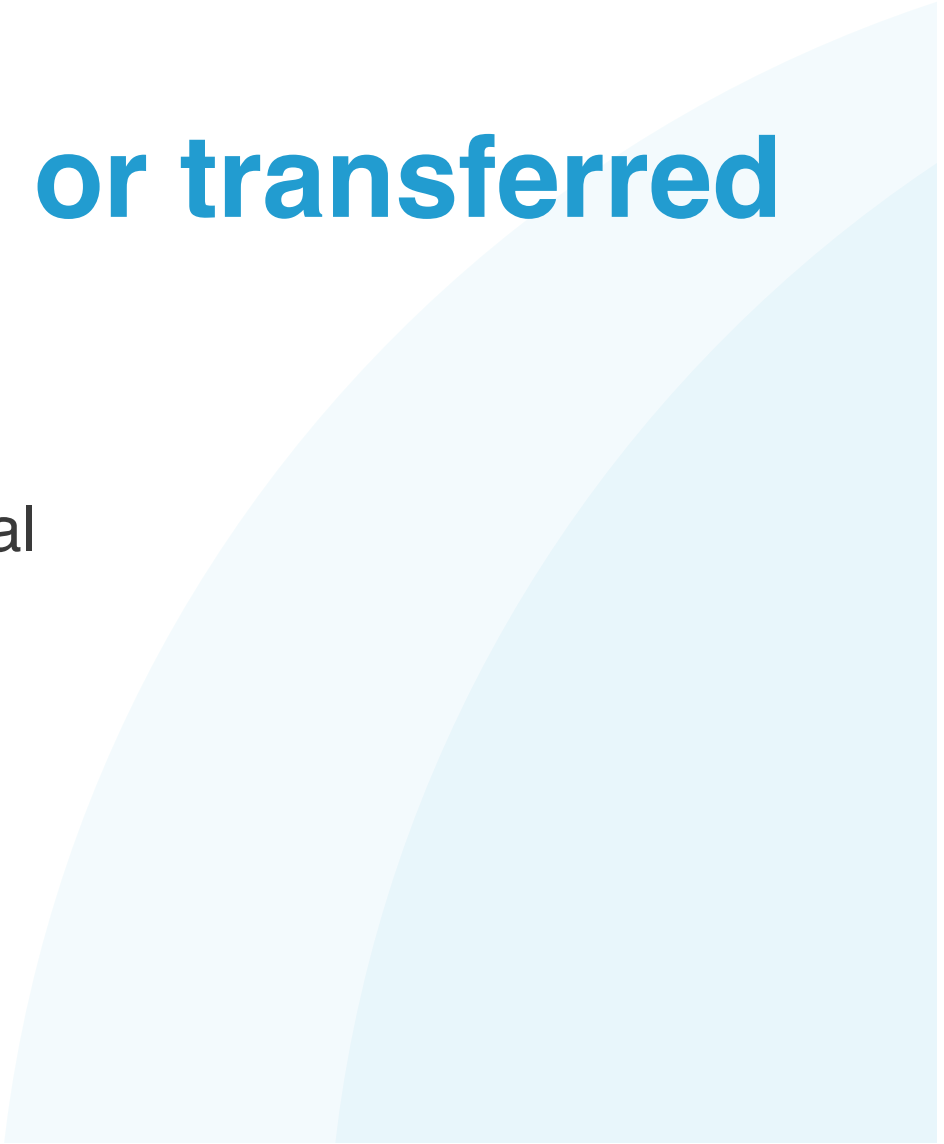
*Family and Community
Services (FaCS)
Housing Policy*



***Community housing provider's
policies***

2. Getting housed or transferred

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- Applications
 - Priority vs wait in turn approval
 - Grounds for transfer
 - Locational Need
 - Offers of accommodation
- 

Applications





Priority vs. wait in turn approval

Grounds for transfer





Locational Need

Offers of accommodation



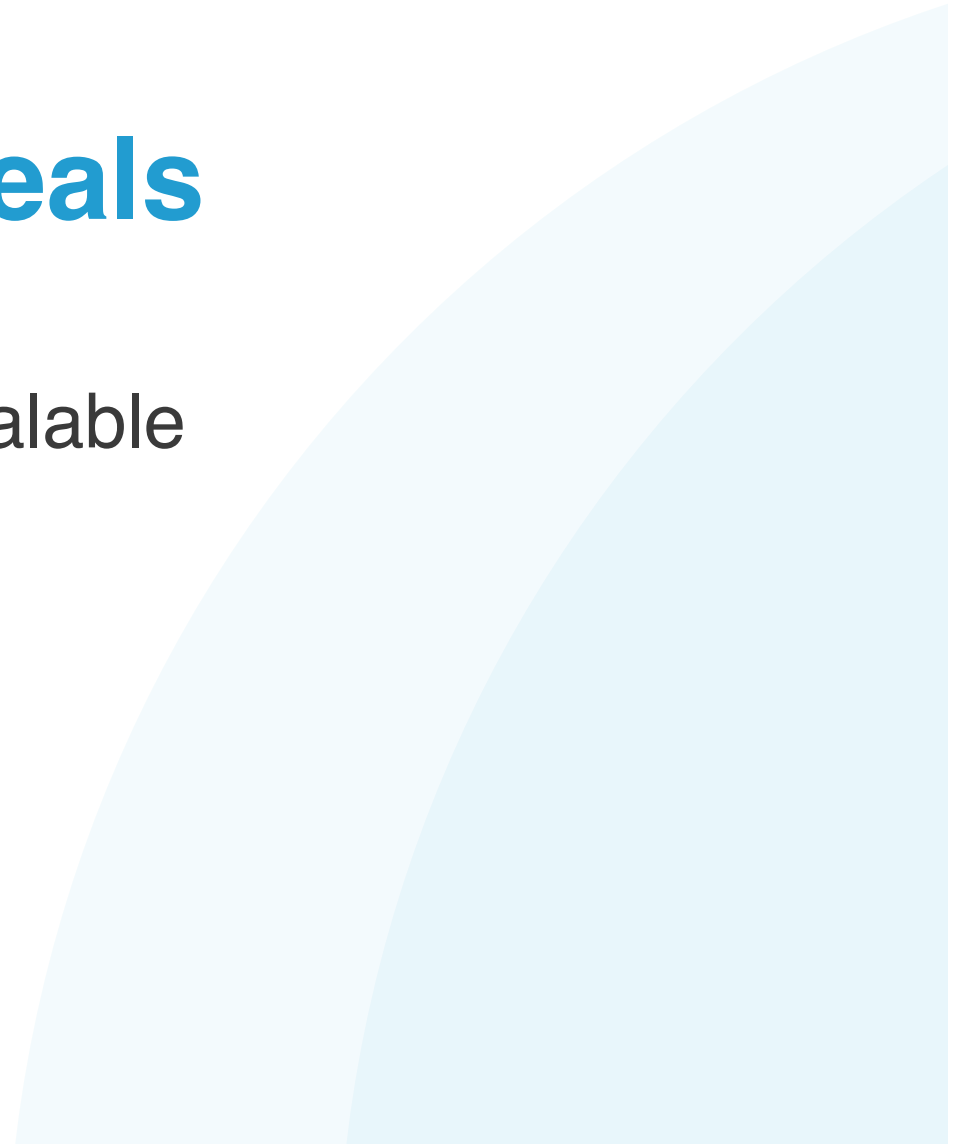
Case study

- At Risk transfer application lodged
- Acknowledgment of receipt
- No response from Housing Provider
- 5 weeks later – client was told there was no record or paperwork on file
- Importance of retaining proof of lodgment and copy of documents

3. Appeals

3. Appeals

- Decisions that are appealable
- Time limits for appeal
- Levels/stages of appeal



Decisions that are appealable

- Subsidy calculations
- Wait in turn vs Priority
- Declined transfer application

Time limits for appeal

- Usually 3 months from date of decision BUT be sure to check provider's policy
- Some decisions must be appealed within a very short time limit

Levels / stages of appeal

- Internal levels of appeal must be exhausted before applying to the Housing Appeals Committee

www.hac.nsw.gov.au

Case study

- Housing provider decided tenant was under-occupying and had to move
- Tenant required extra bedroom for a carer on as needs basis
- Housing provider's policy allowed for additional bedroom
- Housing provider disputed interpretation of the policy
- First tier appeal unsuccessful
- Appeal to HAC successful – Housing provider had not applied its policy correctly

4. Repairs

4. Repairs

- Reporting repairs and maintenance issues
- Urgent repairs
- Going to the NSW Civil and Administrative Tribunal to seek orders
- RLC Repair Kit resource

Reporting repairs and maintenance issues



Urgent repairs



Going to the NSW Civil and Administrative Tribunal to seek orders



NSW Civil &
Administrative Tribunal

RLC Repair Kit resource

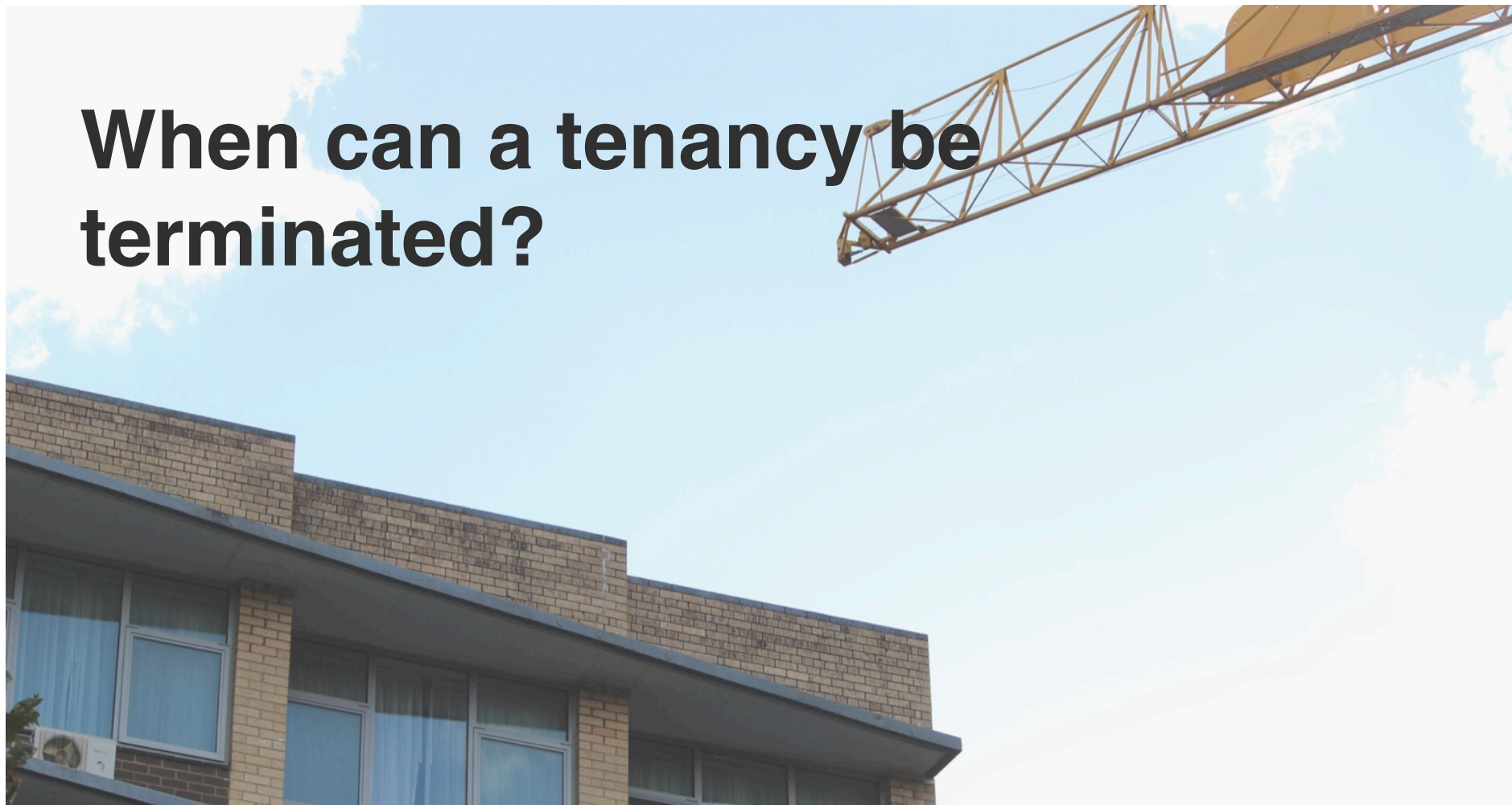


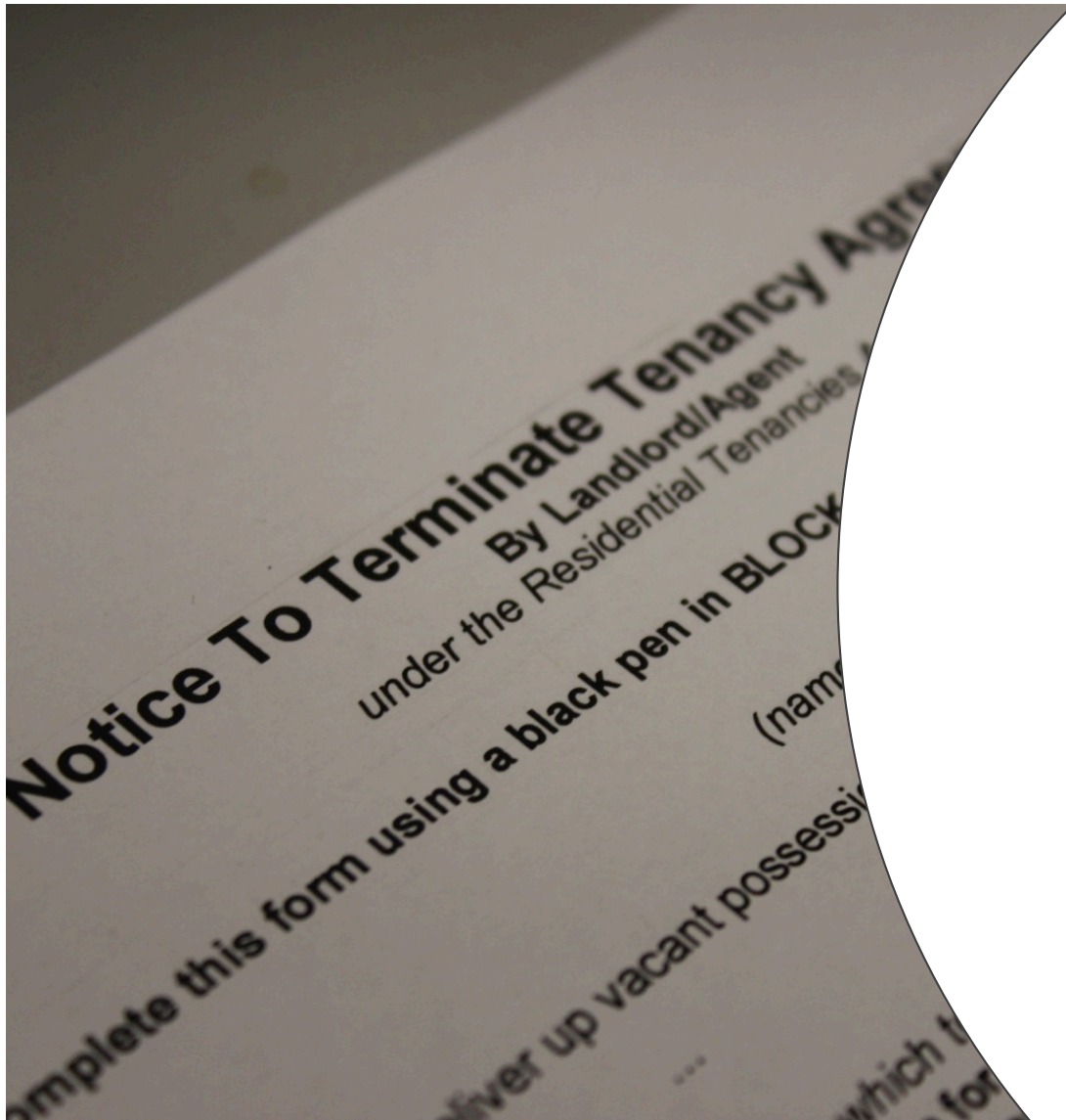
5. Termination

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- When can a tenancy be terminated?
- Notice of Termination
- The Tribunal

When can a tenancy be terminated?





Notice of Termination



The Tribunal

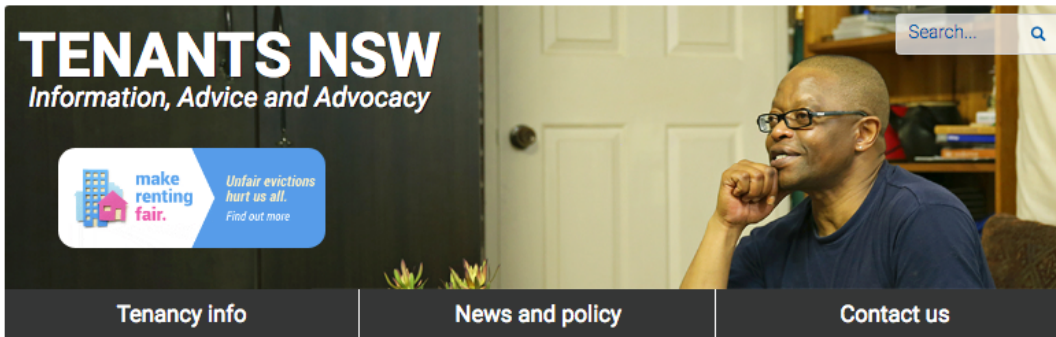
Questions?



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Resources: <https://rlc.org.au/training/resources/housing>



POPULAR TOPICS:



GET ADVICE FROM YOUR LOCAL TENANT ADVOCATE:

Tenants Advice & Advocacy Services

- free confidential legal advice on social housing

Before You Go

Your feedback helps us improve our training.
Please stay with us for another 60 seconds...



Training: rlc.org.au/training
Enquiries: Nick Manning
education@rlc.org.au

This workshop is a guide to the law in NSW, Australia. It is not a substitute for legal advice. If you have a legal problem, seek legal advice from a legal centre or Legal Aid.

Thank you



Redfern Legal Centre

We Can Come to You

RLC can present this workshop at your staff training or interagency – or we can customise training to suit your needs.



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