

Priority housing

Policy

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1. Purpose

This policy outlines how public housing applicants may be categorised by the Department of Territory Families, Housing and Communities ('the Department') as a priority, recognising that some clients are in more urgent need of public housing than others, and that the process of prioritising these applicants must be fair and transparent.

2. Scope

This policy applies to all public housing applicants.

3. Policy detail

The Department maintains a general wait list for all eligible public housing applicants including urban, remote communities and town camps. For more information, see the Wait List policy.

Eligible priority housing applicants who can demonstrate urgent need for public housing will be placed closer to the top of the wait list.

An urgent need for public housing usually falls under one of the following categories:

- Risk of homelessness
- Serious medical or social problems
- Domestic or family violence

If an applicant is in need of crisis accommodation on a short-term basis short-term crisis accommodation, the Department will offer referral to other organisations an appropriate provider. This will not prevent the applicant from applying for priority public housing.

3.1. Applying for priority housing

Existing applicants may apply for priority housing at any time. New applicants may also apply for priority housing at the same time as applying for public housing. Applicants must meet the eligibility criteria for public housing, although the Director has some discretion for extreme situations. For more information, see the Eligibility for Public Housing policy and the Discretionary Decision Making policy.

Applicants must prove their need for priority public housing. This will require supporting documentation to enable the Department to make an appropriate assessment and determination. See the Identification and Documentation policy for more information. Applicants will be interviewed to ensure their application covers all relevant details. Applicants are welcome to bring a friend, relative or advocate from a supporting agency to this interview.

There is no separate priority waitlist maintained for remote communities and town camps. Applications are assessed on a needs basis. Refer to the Allocation and Commencement of a Tenancy policy.

3.2. Assessment of application

Applications will be assessed in line with the Department's Housing Delegations. Where an application is not approved it must be accompanied by a statement of reasons and provided to the Director for review.

The Director will consider if an applicant is in more urgent need of public housing than other clients on the general wait list and make a determination to approve or not approve the application.

3.2.1. Approved applications

Applicants who have their application approved will be placed on the waiting list as a priority. The Department will make every effort to allocate housing to priority applicants as soon as possible. For more information, see the Allocation and Commencement of a Tenancy policy.

3.2.2. Applications not approved

If the application is not approved, the applicant can submit an appeal to request that the decision be reassessed. Additional evidence demonstrating the priority needs of the applicant and why the decision should be reviewed will be requested before the application is escalated to the Executive Director for review and decision. If the decision to not approve the application is supported by the Executive Director, it will be automatically considered a 1st Tier appeal and will be reviewed by the Complaints Resolution team.

The Complaints Resolution team will undertake a full review of the matter and will put forward recommendations to the relevant delegate. The applicant will be informed in writing, including details on the ability to further appeal the decision.

If the applicant remains dissatisfied with the decision they can lodge a 2nd Tier appeal. The Appeals Board reviews these appeals. Members of the Board are appointed by the Minister for Territory Families, Housing and Communities and are independent of the Department. Refer to the Appeals policy for further information.

3.3. Allocation

Eligible priority housing applicants will be provided with an offer of housing when a suitable dwelling, in any location that meets their needs, becomes available. For more information, see the Allocation and Commencement of a Tenancy policy.

Generally only one offer of housing is made. Should this offer be rejected without reasonable grounds, the application will no longer be considered a priority, and the applicant will be placed on the general wait list in order of application date.

4. Decision-making (delegation and discretion)

The Chief Executive Officer (Housing) may delegate a power or function under the *Housing Act 1982* or other Act. Delegated officers may make decisions on behalf of the Chief Executive Officer (Housing) in line with the Department's Housing Delegations and Financial Management Delegations.

A discretionary decision may be made outside the general application of policy if it supports the policy intent, will prevent a client from being unfairly disadvantaged, and is in line with the Department's delegations and legislative obligations. Refer to the Discretionary Decision Making policy.

5. Complaints and/or appeals

If a client is not satisfied with either a decision or action of the Department, they can access the Department's complaints and/or appeals processes. For further information, please refer to the Complaints and/or Appeals policies.

6. Review of the policy

If at any time the legislative, operating or funding environment is so altered that the policy is no longer appropriate in its current form, the policy shall be reviewed and amended accordingly.

7. References

7.1. Legislation

Housing Act 1982

Residential Tenancies Act 1999

7.2. Policies

Allocation and Commencement of a Tenancy policy

Appeals policy

Complaints policy

Discretionary Decision Making policy

Eligibility for Public Housing policy

Wait List policy