

# Community Housing Asset and Tenancy Management

Policy

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# 1. Purpose and scope

This Community Housing Asset and Tenancy Management Policy (the Community Housing Policy) sets out the requirements of Community Housing Providers (CHPs) commissioned by the Department of Territory Families, Housing and Communities (the department) to deliver community housing across urban locations of the Northern Territory (NT), where the department<sup>1</sup> holds a legal and/or contractual interest. This includes:

- Urban housing assets (including land) transferred to CHP management under a Community Housing Assistance Agreement: Community Housing Lease (Lease) to deliver social housing and/or affordable housing;
- Urban housing assets (including land) transferred to CHP ownership to deliver social and/or affordable housing; and
- Funding provided to a CHP to deliver social and/or affordable housing programs.

System requirements to support CHP transfers are under development, in consultation with CHPs. The Community Housing Policy will be updated from time to time to incorporate system changes.

## 2. Background

The NT Community Housing Growth Strategy 2022-32 (the Strategy) outlines the NT Government's commitment to community housing sector growth and includes objectives to:

1. Improve the long term sustainability of the social and affordable housing system in the NT;
2. Increase community housing led asset renewal and new supply; and
3. Strengthen communities through improved asset and tenancy management, place making and renewal.

### 2.1. Legislative and regulatory context

#### National Regulatory System for Community Housing

The National Regulatory System for Community Housing (NRSCH) is a robust regulatory regime that aims to promote quality social and affordable housing services and promote confidence in the good governance of registered CHPs for tenants and investors.

Under the NRSCH, CHPs are required to meet minimum performance requirements and demonstrate ongoing compliance across seven Performance Outcomes. In the NT, the NRSCH is administered under the *Community Housing Providers (National Uniform Legislation) Act 2013* (NT).

The NRSCH has a central role in the future growth of the NT social and affordable housing system, providing assurance on capacity and capability of registered CHPs, to ensure housing management is delivered to a high standard. CHPs wishing to deliver community housing in the NT with assets, land or other forms of investment provided by the NT Government will be required to achieve and maintain NRSCH registration.

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<sup>1</sup> For the purposes of this policy, references to the department's legal and/or contractual interests includes CEO (Housing) legal and/or contractual interests.

### *Residential Tenancies Act 1999*

The *Residential Tenancies Act 1999* (the RTA) is the legislation that covers residential tenancy agreements in the NT. Landlords are required to ensure tenancy management is provided in a way that is compliant with the RTA. The RTA provides a framework for parties to a tenancy agreement to operate within and aims to provide clear guidance on tenancy related rights and obligations. Both government and non-government providers of social and affordable housing in the NT are subject to the requirements of the RTA.

### *Housing Act 1982*

The *Housing Act 1982* (Housing Act) provides the overarching legislative framework for the provision of housing assistance and other accommodation by the CEO (Housing). Under Part 16(4) of the Housing Act, the Minister may authorise the CEO (Housing) to sell, lease or otherwise dispose of housing assets to an approved third party. This includes the disposal and leasing of housing assets that are owned by the CEO (Housing).

## 2.2. The NT Community Housing System

The NT community housing system is underpinned by a number of foundational system elements and processes. These system elements operate together to support the delivery of high quality and cost-effective social and affordable housing for Territorians and aim to provide:

- A contestable and outcomes-focused commissioning framework for engaging CHPs to deliver social and affordable housing;
- Clear and consistent policy settings for the delivery of asset and tenancy management across the public and community housing sectors;
- A robust community housing agreement structure to underpin legal and contractual arrangements between the department, the CEO (Housing) and CHPs;
- Effective ongoing contract management and monitoring against contractual/lease obligations; and
- A strong community housing regulatory compliance framework administered through the NRSCH.

These system elements also aim to:

- Support the delivery of the NT Government's strategic directions for growing and developing a robust and sustainable community housing sector;
- Promote confidence for CHPs to invest in growing their social and affordable housing portfolios in the NT; and
- Deliver improved tenancy management outcomes for tenants and neighbouring communities.

## 2.3. Community Housing Legal Agreement Framework

The Community Housing Legal Agreement Framework consists of a suite of core legal agreements to underpin housing assistance provided to CHPs by the department for social and affordable housing management and supply.

The Community Housing Legal Agreement Framework will operate in conjunction with this Community Housing Policy and relevant NT legislation (including the RTA and the NRSCH) to provide the legal, contractual, operational and policy requirements of CHPs in receipt of assistance from the department to support the growth and development of the community housing sector.

**Figure 1: Community Housing Legal Agreement Framework**



The Community Housing Legal Agreement Framework comprises a suite of different types of legally binding contractual agreements which collectively provide for the NT Government to invest in the delivery of social and affordable housing. The Community Housing Legal Agreement Framework includes the following agreement types:

- An overarching Community Housing Common Terms Agreement (the Common Terms Agreement) between the CHP and the department, which prescribes the general terms and conditions applicable to all CHPs delivering community housing with assistance from the NT Government.  
CHPs wishing to receive assistance from the NT Government to deliver social and affordable housing are first required to enter into a Community Housing Common Terms Agreement.
- Community Housing Lease Agreement (Lease) which provides a core set of operative provisions for the management of housing assets owned by the CEO Housing.
- Community Housing Development/Redevelopment Agreement, which establishes the contractual terms and conditions under which CHPs will deliver new supply using land or housing assets provided by CEO (Housing).
- Community Housing Capital Grant Funding Agreement which sets out the terms under which CHPs are required to use investment funding provided by the department for the purpose of delivering new community housing assets or upgrading existing assets.
- Community Housing Program Specific Funding Agreement that describes the core objectives, outcomes, terms and conditions applicable to social and affordable housing programs that are delivered through the community housing sector.

### 3. Policy objectives

The objectives of this Community Housing Policy are to:

- Provide CHPs with a clear set of baseline policy requirements for the management of community housing assets where assistance has been provided through the department.
- Achieve consistency in the delivery and management of social and affordable housing across urban areas of the NT.
- Ensure equity and fairness is maintained across public and community housing for eligible tenants and households.
- Optimise the quality and cost-effectiveness of social and affordable housing management and delivery through the community housing sector.
- Ensure the terms of agreements between the department and CHPs are fair and reasonable for both parties.
- Work in partnership with the community housing sector to deliver strategic investment in asset renewal and new supply.

### 4. Review

This is the first system-wide asset and tenancy management policy to be developed for the NT community housing sector. It aims to provide the foundational policy settings required to enable the delivery of opportunities that grow the sector over the forthcoming ten years to 30 June 2032.

The department will work with the community housing sector to review the Community Housing Policy as required, to ensure it remains current, fit for purpose and operates effectively.

### 5. General policy requirements

#### 5.1. Conditions for assistance

- To enter into agreements for the management of housing assets (including land) or funding with the department, CHPs are required to be:
  - ❖ registered under the NRSCH, and
  - ❖ approved by the NT Registrar for Community Housing to operate in the NT.

This registration must be maintained on an ongoing basis.

- The department will retain a legal and/or contractual interest in all community housing assets or assistance provided to CHPs for the purpose of delivering social and/or affordable housing.
- Any interest retained by the department in social and/or affordable housing assets will be proportionate to the level of investment made and will be agreed through the negotiation of contractual arrangements with CHPs.
- CHPs are responsible for the cost of managing and maintaining community housing assets, except where otherwise specified in the relevant community housing agreement.



## 5.2. Use of assets and other assistance

- CHPs are required to ensure housing assistance within the scope of this Community Housing Policy is:
  - a) Managed in compliance with the requirements of the RTA and the NRSCH, and
  - b) Prioritised and targeted to households that:
    - ❖ Meet the eligibility criteria for public and/or affordable housing,
    - ❖ Have a demonstrated need for assistance to maintain housing affordability, and/or
    - ❖ Meet other program-specific eligibility criteria as agreed between the CHP and the department.
- CHPs must manage their portfolios in a manner that aims to deliver cost effective services and minimises net loss of social housing assets through redevelopment.
- The department may specify reasonable asset leveraging and/or portfolio growth targets in negotiation with CHPs in relation to housing assets, land and/or funding provided by the department.
- Surplus income derived from social and affordable housing assistance provided by the department must be:
  - ❖ Aligned with and contribute to achieving the NT Community Housing Growth Strategy 2022-32 objectives
  - ❖ Used transparently and in an accountable manner consistent with NT Government procurement and financial management principles
  - ❖ Used in accordance with the terms of the relevant community housing agreement.
- Where a CHP generates a significant annual surplus income derived from the management of social and affordable housing assistance provided by the department, CHPs are required to utilise the income consistent with the Common Terms Agreement and consult with the department on intended use of the surplus income.

## 6. Eligibility and entitlement

- CHPs are required to have and implement a fair and transparent policy that specifies eligibility criteria for social and affordable housing.
- For social housing, this policy is to align with the criteria for eligibility outlined in the department's [Eligibility for Public Housing Policy](#).
- For affordable housing, this policy is to align with either the eligibility requirements under the [National Rental Affordability Scheme \(NRAS\)](#) or the [NT Affordable Housing Scheme](#). CHPs are required to make their eligibility criteria publicly available.
- CHPs may specify additional eligibility criteria for targeted social and affordable housing programs where agreed with the department.
- To the greatest extent practicable, CHPs are required to match available housing to the needs of eligible households.
- CHPs are required to implement a fair and consistent approach to determining the number of bedrooms a household is entitled to.
- This includes ensuring household bedroom requirements are met in a way that optimises the efficient utilisation of dwellings.

- CHPs should apply the Standard Bedroom Entitlements stipulated in the department's [Entitlement Policy](#) to the greatest extent practicable, however may apply discretion to optimise the use of dwellings and meet household specific needs where required.

## 7. Allocation of housing

- CHPs must implement a fair, equitable and transparent approach to the prioritisation and allocation of social and affordable housing to applicants.
- CHPs must ensure housing is allocated only to households that are eligible for social and/or affordable housing.
- For social housing:
  - CHPs allocations policies must be consistent with the department's [Allocations and Commencement of a Tenancy](#) policy.
  - CHPs must allocate dwellings to eligible applicants from the department's waitlist until such time that there is an integrated social housing waitlist for the NT.
  - CHPs must ensure social housing applications including transfer requests received via their channels are provided to the department for entry onto the department waitlist.
  - In the early stages of transfers, CHPs are required to make an allocation request from a CHP to the department. The department will ensure a shortlist of eligible applicants from the waitlist is provided to CHPs in a timely way to support CHPs' operational efficiency in the allocation of dwellings. The department's shortlist will be compiled in line with existing policy and will ensure equitable representation from priority, general and transfer applications.
  - The extent to which a CHP may apply their own selection criteria to the shortlist will be agreed upon between the CHP and the department to ensure fair allocation to priority, general and transfer applicants.
  - CHPs will be required to advise the department of their chosen allocation, to allow the department to update the waitlist accordingly.
  - For CHPs managing designated complexes for specific groups of tenants, allocations must be made in accordance with the department's [Designated Complexes Policy](#). The delegate to approve additional household members will be the CEO of the CHP.

The department is working in consultation with CHPs to develop a process for CHPs to access the waitlist to ensure CHPs are able to directly manage the process for identifying suitable tenants for allocation, in accordance with CHP management requirements, the NRSCH and the Community Housing Policy. This Policy will be updated in accordance with the agreed process for CHP access to the waitlist.

### 7.1. Tenant transfers

- CHPs are required to take a fair and transparent approach to social housing transfer applications made by existing tenants.
- CHPs are required to manage social housing tenant transfers in accordance with relevant provisions within the department's [Transfers within Public Housing Policy](#).
- To the greatest extent practicable, CHPs must ensure tenant transfers take into consideration the needs of the household and the community, and the optimal utilisation of dwellings.
- CHPs are required to provide all new social housing transfer applications to the department for entry onto the department waitlist.

- The department will maintain the waitlist and a tenant transfer application process that CHPs are required to use for social housing tenant transfers.
- The department will work with CHPs to coordinate and facilitate tenant transfers between public housing and CHP managed social housing.
- The department will seek to balance the needs of the household with organisational priorities in managing the transfer of existing tenants between social housing dwellings.
- Where the department initiates a tenant transfer from one social housing dwelling to another, the tenant's reasonable moving costs will be met by the department. The costs which will reasonably be covered by the department will vary depending on the specific circumstances of the household.

## 7.2. Tenanted dwelling transfers

- Where a CHP takes on the management of a public housing tenancy via a concurrent lease, they are required to take all reasonable steps to enter into a new tenancy agreement with the tenant as soon as practicable through positive tenant engagement.
- Rent arrangements for tenants transferring from public housing to CHP managed social housing are described at 8.1 of this Policy.
- For public housing tenants transferring to CHP management, the department will provide CHPs with information regarding tenancies with substantiated antisocial behaviour incidents, Acceptable Behaviour Agreements and Red Card demerit points. However, the Red Card policy, points and agreements will not transfer with the tenancy. CHPs must have policies and practices in place for managing antisocial behaviour in their managed dwellings.

## 8. Rent and other charges

### 8.1. Rent setting and collection

- CHPs are required to have a policy in place for the setting and charging of rent that maintains affordability for tenants and enables households to meet other essential living costs.
- CHPs must seek to optimise the collection of Commonwealth Rent Assistance (CRA) as part of their overall approach to charging rent where applicable.
- CHPs must apply transparency and equity in the setting and charging of rent to tenants.
- CHPs must review rent charged to households on a regular basis, with reviews to be undertaken at least twice per year for social housing and once per year for affordable housing.
- If a tenant provides updated income and assets information that would affect the rate of rent payable, the CHP must adjust the rent as soon as practicable.
- For the setting of social housing rent, CHPs are to calculate rent in accordance with the following department policies, plus 100 per cent of CRA:
  - [Rent policy](#)
  - [Rental Rebate policy](#)
- CHPs may charge no more than the applicable full rent as published in the NT Government Gazette from time to time, including CRA.
- For the setting of affordable housing rent, CHPs may apply the rent setting requirements under the [National Rental Affordability Scheme \(NRAS\)](#) or the [NT Affordable Housing Scheme](#).

## 8.2. Rent rebates and subsidies

- Tenants of CHPs may apply to have their social housing rent rebated or subsidised if they meet income and assets thresholds set by the CHP.
- For social housing, income and assets thresholds set by CHPs should be aligned to those set out in the department's [Public Housing Income and Assets Policy](#).
- The rent rebate or subsidy is the difference between the full rent and the rent paid by the tenant (including where applicable, CRA).
- CHPs are required to calculate rent rebates in accordance with the department's [Rental Rebate policy](#).
- Affordable housing subsidies are to align with the requirements under the [National Rental Affordability Scheme \(NRAS\)](#) or the [NT Affordable Housing Scheme](#). CHPs are required to make their rent setting policy for the program publicly available.

## 8.3. Rental bonds

- CHPs may charge rental bonds to tenants in accordance with the RTA.
- The charging of rental bonds by CHPs must not place an unreasonable affordability burden on tenants.
- CHPs should provide tenants with fair and reasonable arrangements to pay rental bonds in instalments where they are unable to pay the full amount of their bond upon commencement of their tenancy.
- For social housing tenants, the charging of bond must be on terms no less favourable than for public housing tenants.

## 8.4. Additional charges

- Additional charges (such as for arrears, tenant damage, electricity, gas or water) must be charged to tenants in compliance with the RTA.
- Where additional weekly charges are applicable, CHPs must not charge tenants more than 35 per cent of weekly household income (not including CRA) for the combined cost of rent and additional charges.
- CHPs must contact the tenant when there is excess water use reported on the premises – excess usage is considered more than 500KL per year or a proportionate amount used for any part of that year – to ensure tenants are aware and have the opportunity to identify any leaks or damages at the premises.
- CHPs should provide tenants tips on preventing excess water use and refer tenants to support services if they are finding it difficult to reduce their water usage or make payments for water charges.
- For transferring public housing tenants, until a new tenancy agreement is entered into between the tenant and CHP, CHPs may only charge tenants for water usage as detailed in the tenant's existing tenancy agreement with CEO (Housing), which is:
  - For T21B Tenancy Agreements: if water is separately metered, tenants must reimburse the landlord for excess water charges, defined as more than 500 kilolitres of water used in a year or a proportionate amount used for any part of that year.
  - For Tenancy Agreements prior to T21B: there is no option to charge tenants for water.

## 8.5. Determining full rent

### 8.5.1. CEO Housing assets under CHP management

- The full rent for social housing and the NT Affordable Housing Scheme is determined by the Minister under the terms of Section 23 of the *Housing Act 1982*.
- Full rent is reviewed periodically and published in the Government Gazette. It is based on figures calculated from average rent for a type of premises in each suburb or community where public housing is located.
- Affordable Housing under the NRAS is determined in accordance with NRAS requirements.

### 8.5.2. Private rental dwellings head leased by CHP

For the purpose of setting affordable housing rents and calculating social housing rental subsidies:

- Full rent is the maximum amount of rent a CHP may charge tenants living in dwellings head leased from the private rental market.
- Full rent must not be greater than the current market rent for dwellings of a similar type, size, location and amenity level.
- Head lease rents should not exceed the current market rent for dwellings of a similar type, size, location and amenity level.
- Full rent must be fair and reasonable and be no less favourable than the current market conditions.
- Where full rent is different to the rent specified in the head lease, CHPs must if requested, be able to provide evidence and reasoning for the discrepancy.

## 9. Tenancy Management

### 9.1. Information for tenants

- CHPs must provide clear and easy to understand information to tenants, including information relating to their rights and responsibilities under the RTA and ensuring that CHP operational policies are publicly available and easily accessible.
- CHPs must provide tenants with information and documentation relating to their tenancy in accordance with the RTA, including at the request of the tenant.

### 9.2. Requirements relating to termination of tenancy agreements

- CHPs must have transparent processes in place to determine and manage the termination of a residential tenancy agreement in accordance with the RTA, including a process to advise tenants about the circumstances in which a residential tenancy agreement may be terminated.
- Following a decision to terminate a residential tenancy agreement, a CHP must issue a written notice explaining the termination and setting out a reasonable timeframe for the tenant to vacate the premises. A notice of intention to terminate and the timeframe to vacate the premises must meet the minimum requirements under the RTA.
- CHPs should not routinely terminate tenancy agreements under Section 89 of the RTA as this section of the Act does not require a tenant to be given reasons for termination and may affect a tenant's right to procedural fairness.

## 9.3. Public Housing Safety Officers

Public Housing Safety Officers (PHSOs) are employees of the department responsible for responding to and assisting in the management of anti-social behaviour on premises owned or leased by the CEO (Housing) for the purpose of providing residential accommodation. To facilitate a smooth transition of tenancy management responsibilities from the CEO (Housing) to CHPs, the department proposes to enable PHSOs to continue to provide support to tenancies being transferred to CHP management.

The duration and level of support to be provided by PHSOs will be determined in consultation with CHPs, however it is anticipated that any arrangement for PHSO support in relation to CHP managed tenancies will be on an interim basis of up to 6 months post transfer. The department will consult with CHPs to develop operational procedures to guide how PHSOs will operate on CHP managed dwellings, with reference to legislative requirements, tenant privacy and review mechanisms. This Policy will be updated to reflect agreed interim arrangements.

Any requirement for an ongoing role for PHSOs on CHP managed dwellings will need to be further considered and developed in negotiation with CHPs.

## 10. Asset and portfolio management

### 10.1. Inspections

- CHPs are required to undertake periodic dwelling inspections of tenanted dwellings no less frequently than every six months, to ensure the need for repairs and maintenance is identified and actioned in a timely way.
- Untenanted dwellings are to be inspected and monitored on a regular basis for security and maintenance.
- For the purpose of meeting Commonwealth disaster recovery assistance requirements, CHPs are required to maintain photographic records of leased CEO Housing assets that clearly show the type and condition of the asset. These records should be kept on file and updated every two years.

### 10.2. Repairs and maintenance

- CHPs must proactively monitor the condition of assets and ensure they are maintained in accordance with the baseline standard for maintaining public housing dwellings (Vacant Property Maintenance Baseline Standard – refer Attachment A to this Policy).
- CHPs are required to develop and implement schedules for the repair and maintenance of housing assets that:
  - Consider the life expectancy of materials, fixtures and fittings, and
  - Include a schedule of planned, cyclical and responsive maintenance and forecast expenditure.
- CHPs are required to manage and maintain assets in a way that minimises the need for recurrent and extensive maintenance and take all available steps to maintain and where possible, improve the amenity of assets over time.
- CHPs must provide dwelling repairs and maintenance to tenanted dwellings in compliance with the RTA.
- The department in partnership with the Department of Infrastructure, Planning and Logistics (DIPL) will monitor the condition of assets as required, as part of contract management and monitoring.
- The department in partnership with DIPL may also undertake condition assessments of assets as required, as part of contract management and monitoring.



- The department and DIPL will notify CHPs in advance of any proposed access requirements and ensure access is compliant with the RTA.

### 10.3. Condition of existing public housing assets on transfer

- Where existing public housing assets are transferred to a CHP, the department will:
  - Work with the CHP to agree an Asset Upgrade and Renewal Plan for the upgrading or renewal of assets during the term of the lease, and/or
  - Ensure assets meet the baseline standard for maintaining public housing dwellings.
- Where housing assets require major repair or upgrade to address significant deferred maintenance costs, the department may at its discretion negotiate with the CHP to provide an investment contribution towards the cost of upgrade works over the term of the agreement.

### 10.4. Asset management

- CHPs are required to take a whole of life approach to the maintenance and management of housing assets and aim to optimise longevity of dwellings, taking into consideration the age and condition of assets.
- A whole of life approach to asset maintenance is defined as:

*Planning maintenance based on the total estimated cost that will be incurred over the anticipated useful life of the asset.*
- Tier 1 and 2 CHPs registered under the NRSCH are required to implement a strategic, integrated and portfolio-wide approach to planning and management of housing assets in order to optimise their use and more effectively respond to changing needs of clients and households.

### 10.5. Asset upgrade and renewal plans

- CHPs that take on the management of CEO (Housing) dwellings are required to develop and maintain plans for the upgrade and renewal of housing assets in accordance with the terms and conditions of their transfer arrangements that:
  - Span the term of the agreement,
  - Outline future intentions for each housing asset, including whether an asset is to be upgraded or renewed through major refurbishment or redevelopment,
  - Identify the works required to upgrade housing assets for maintaining public housing dwellings and associated costs,
  - Identify the timeframes for delivering planned asset upgrades and renewal, and
  - Estimate the cost of upgrades identified.
- The Plan will be negotiated and agreed to between CHPs and the department. CHPs will be required to only hand back CEO Housing dwellings that are at or above baseline standard upon expiry of a lease term.
- CHPs must keep detailed records of repairs and maintenance to CEO (Housing) dwellings, including capital improvements and ensure these improvements are based on agreed plans.
- Allocation of department investment to assist with the upgrading and renewal of housing assets will be informed by, but not limited to:

- The age and overall condition of the asset, and
- The likely future maintenance and upgrade costs required to maintain an asset at or above the baseline standard for maintaining public housing dwellings.
- Any investment contribution provided by the department towards the cost of dwelling upgrades will be negotiated on a project basis.

## 10.6. Asset renewal and redevelopment

- CHPs may request to renew or redevelop leased assets.
- CHPs wishing to undertake asset renewal or redevelopment are required to ensure alignment with their Asset and Renewal Plan and submit a business case and seek approval from the department prior to commencing works.
- CHPs that invest in the renewal or redevelopment of leased assets will be provided a long term agreement (40 years or more) on completion where the majority of funding is provided by the CHP.

## 10.7. Construction of new community housing assets

- CHPs undertaking the construction of new housing are required to comply with the following universally applicable requirements:
  - The National Construction Code and Australian Building Standards
  - AS 1428.1: 2009 - Design for access and mobility – General requirements for access – New building work (incorporating amendments 1 & 2)
  - AS 4299-1995 – Adaptable Housing.
- The design and construction of social and affordable housing dwellings should:
  - Take into consideration the climatic conditions of the location in which they are being constructed
  - Be based on sustainable design principles and promote energy efficiency
  - Provide for an appropriate level of amenity and functionality
  - Be fit for purpose, taking into consideration the expected needs of clients to be housed.
- The department may specify and contribute funding for additional building design and construction terms if and as required, to meet certain project or program specific objectives, including environment, strategic or social outcomes.
- A whole of life approach to the design and construction of new housing assets is to be adopted, to minimise asset management and maintenance costs and optimise longevity.

## 11. Confidentiality and information privacy

- CHPs are required to comply with the requirements of the *Information Act 2002* in relation to the collection, storage and use of personal information of applicants, tenants and occupants.
- This includes the ten [Information Privacy Principles](#) at Schedule 2 of the *Information Act*.

## 12. Complaints and appeals

- CHPs must have in place a system for managing and investigating the circumstances surrounding complaints that is fair and transparent and includes avenues for appeal and/or reviews of a decision. This



includes a system for managing complaints about anti-social behaviour, including a process for managing complaints from neighbours and the local community. The department will work with CHPs on agreed processes for managing complaints related to antisocial behaviour.

- The department will no longer manage complaints for CEO (Housing) dwellings under CHP management.
- Complaints from community housing tenants, their neighbours or local community received via the department’s channels will be directed either to the relevant CHP or the NT Community Housing Registrar.
- CHPs will be required to report to the department on tenant complaints as per the Community Housing Legal Agreement Framework.
- CHPs will be required to provide timely information on complaints as requested by the department for Ministerial purposes (Section 12 refers).
- If tenants are dissatisfied with the outcome of an investigation and/or a decision made by the CHP they may proceed to the channels listed below (11.1 and 11.2 refers).

## 12.1. Complaints related to tenancy management

- If a tenant is dissatisfied with the outcome of an investigation, complaint and/or a decision made by the CHP that relates to their tenancy, the tenant may choose to proceed to the Northern Territory Civil and Administrative Tribunal (NTCAT), who has jurisdiction over matters associated with the *Residential Tenancies Act 1999*.
- Examples of disputes that may be heard by NTCAT include but are not limited to:
  - Termination of the tenancy agreement
  - Breach of the agreement, such as rent arrears
  - Disputes related to tenancy transfers
  - Payment of debts to the CHP (such as water usage charges)
  - Repairs and maintenance
  - Rents and rent increases
  - Disputes between tenants.

## 12.2. Complaints related to CHP compliance

- If a tenant is dissatisfied with the outcome of an investigation, complaint and/or a decision made by the CHP that relates to the compliance of the CHP the tenant may lodge a complaint with the NT Registrar via:

<p><b>Post</b> Registrar of Community Housing NT PO Box 37073 Winnellie NT 0821</p>	<p><b>Email</b> <a href="mailto:NRSCH.TFHC@nt.gov.au">NRSCH.TFHC@nt.gov.au</a> <b>Online</b> <a href="https://nrsch.gov.au/complaint_form">nrsch.gov.au/complaint_form</a> <b>Phone</b> (08) 8936 4000</p>
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- The NT Registrar will assess the complaint to determine if the tenant has exhausted the CHP’s complaints and appeals process and if the complaint relates to the CHP’s compliance.

- If the above criteria are met, the NT Registrar will investigate complaints about a CHP's compliance with the community housing national law and regulatory code in accordance with the [NRSCH Complaints Management Policy](#). Examples of complaints related to compliance include:
  - Repeated failures of CHP to follow their complaint policy
  - CHP not following orders from NTCAT
  - Misallocation of government funding
  - Allegations of fraud or corruption.
- If a complaint in relation to CHP compliance is substantiated, the department will take appropriate action as available under the Community Housing Legal Agreement Framework.

## 13. Ministerials

- CHP managed social and affordable housing provided with support from the NT Government, either through CEO Housing ownership or department funding, may be the subject of enquiries from the relevant Minister/s.
- In order to assist the department to respond to any such Ministerial enquires, CHPs must, if requested, provide responses to queries received from the department within timeframes identified by and in a form and substance satisfactory to the department.
- These requests will be coordinated by the department, who will provide CHPs with as much notice as practical and be responsible for all correspondence with the Minister's Office.

## 14. ATTACHMENTS

### 14.1. TFHC Baseline Standard for Vacant Property Maintenance

This document is intended for Community Housing Providers (CHPs) taking on the management of TFHC social housing dwellings. CHPs are required to maintain social housing dwellings at the Baseline Standard and keep detailed records of repairs and maintenance works.

The following tables expand on specific details of the Baseline Standard. The Baseline Standard is aligned to requirements under the *Residential Tenancies Act (1999)*, to ensure dwellings are habitable and safe, clean and suitable for habitation, and secure. The standard ensures that dwellings are not let unless they meet the minimum requirements as set out in the RTA.

HABITABLE AND SAFE	
Toilet, bathroom, kitchen and laundry areas	<p>The premises must provide:</p> <ul style="list-style-type: none"> <li>• a functioning toilet, shower, bath where fitted, hand basin where fitted, kitchen sink, and laundry wash trough or basin;</li> <li>• space for a washing machine with immediate access to cold water supply and waste water disposal or covered access to an external washing machine facilities;</li> <li>• space for a fridge with designated power supply outlets within immediate proximity of the space;</li> <li>• a functioning stove or cooktop with all elements functioning and/or a functioning oven;</li> <li>• kitchen bench space for food preparation;</li> <li>• a food storage cupboard or pantry in or within reasonable proximity of the kitchen; and</li> <li>• functioning doors on each room containing a toilet or bathroom facilities.</li> </ul>
	Each room containing a toilet or bathroom facilities must give adequate privacy to the user, e.g. privacy locks on the doors.
	Each room containing a toilet, bathroom, kitchen or laundry facilities must provide a functioning light.
	Wet areas are smooth, impervious to moisture and are free from trip hazards.

**HABITABLE AND SAFE**

All areas	Any fixtures and fittings must: <ul style="list-style-type: none"> <li>• comply with the law and relevant codes in force at the time of such installation;</li> <li>• be fit for the purpose for which they are intended or ordinarily used; and</li> <li>• be in good working order.</li> </ul>
	Floor surfaces should be sealed and able to be cleaned.
	Each bedroom must give adequate privacy to the user.
	All rooms (other than a room intended only for storage) has adequate natural or artificial lighting.
	Adequate ventilation of all rooms to assist in preventing the build-up of damp or mould.
	All external windows are able to be open and close to an extent that it satisfactorily impedes water, wind or dust ingress.
Water supply and sewerage	The premises must have a working connection to water supply and sewerage systems and have: <p>hot and cold water plumbed to each bath, shower, hand basin (where fitted), kitchen sink and laundry wash trough or basin;</p> <ul style="list-style-type: none"> <li>• cold water plumbed to each toilet;</li> <li>• a cold water washing machine water supply outlet; and</li> <li>• a functioning external tap for houses, townhouses, and duplex only.</li> </ul>
	The hot water system must comply with the law and relevant codes in force at the time of such installation.
	The water must be of suitable quality for its intended purpose and, in the case of water plumbed to a kitchen sink, water must be potable.
	Each toilet, bath, shower, hand basin, kitchen sink, laundry wash trough or basin and washing machine wastewater discharge pipe in the premises must be plumbed to a drainage system that is capable of disposing of all sewage and wastewater for those facilities.

HABITABLE AND SAFE	
Electricity and gas	The premises must have a working connection to a power supply system.
	All rooms must have at least one functioning electric light fixture and functioning electrical power points as reasonably required for domestic purposes.
	Each electrical or gas installation must comply with the law and relevant codes in force at the time of such installation.
	Each alteration to, or relocation, repair or maintenance of, an electrical or gas installation must comply with the law and relevant codes in force at the time of such alteration, relocation, repair or maintenance.
	The premises has electrical safety switches fitted (Residual Current Device).
Cooling and heating	Where fitted, the heating or cooling system should be functioning and in working order as outlined in the Property Management policy.
External areas	<p>Premises and ancillary property should have:</p> <ul style="list-style-type: none"> <li>• clear access to the front door, back door and clothesline;</li> <li>• a functioning clothesline; and</li> <li>• where fitted, fencing to be secure and operational.</li> </ul> <p>The outdoor area must not present an immediate risk to the health or safety of the tenants/occupiers/visitors. For example, grass is not a fire hazard, water does not pond after cessation of rain, no dangerous materials in the yard, and trees should not pose a risk to the safety of a person or the premises.</p>
Pests and vermin	The premises are free from pest/vermin infestations.
General premises standard – all areas	The premises and ancillary property is structurally sound.
	The premises provides shelter from the external environment. For example, the roof and external walls are not open to the elements, do not leak and are vermin proof.
	Any fixtures and fittings or other facilities provided with the premises does not present a health or safety hazard.
	Floors have durable surfaces and are free from trip hazards.
	The premises has flyscreens on windows that appropriately assist in the prevention of insects from entering the premises.
Fire safety	The premises does not present a fire hazard. For example, overgrown garden.

	The premises is fitted with functioning photoelectric smoke alarms that meet all health and safety requirements under an Act that applies to residential premises or ancillary property.
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**HABITABLE AND SAFE**

Hazardous materials	The premises is free from materials or substances that pose an immediate serious risk of harm to the health or safety of occupants, e.g. damaged or disturbed asbestos, mould.
	The premises displays appropriate asbestos containing material labels/stickers for premises constructed prior to 1983.

**CLEAN AND SUITABLE FOR HABITATION**

Reasonably clean when the tenant enters into occupation of the premises	<p>Generally a premises is considered reasonably clean where:</p> <ul style="list-style-type: none"> <li>• it provides a basic level of cleanliness and hygiene;</li> <li>• it is free from stray animals, vermin/significant pests and animal/insect faeces;</li> <li>• it is free from serious mould/rising damp issues;</li> <li>• obvious and excessive dirt and grime are removed;</li> <li>• it is free from rubbish and former tenants' belongings;</li> <li>• it is free from any harmful odours that may cause negative health effects as a result or indication of an underlying issue (e.g. raw sewage, mould, deceased animals);</li> <li>• surfaces are free from dust;</li> <li>• window and doors, including tracks are free from dirt, grime and dust; and</li> <li>• the garden and ancillary property are mowed and in a neat and tidy condition.</li> </ul>
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**SECURE**

Security	All external doors are functional (able to open and close) and fitted with working locks.
	All external windows are functional and able to be secured.
	All existing entry lights over all external entry points are functional, e.g. lighting over the front or back entrance.