



NSWALC
Housing

Water Charging Policy

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Contents

1. About this document	3
1.1 Purpose of this policy	3
1.2 Scope and context of the policy	3
1.3 Terms and definitions	3
1.4 Relevant legislation, regulations or standards	3
2. Water charging policy details	4
2.1 Principles	4
2.2 Water charging methods	4
2.3 Payment of water usage charges	5
2.4 Exemptions and allowances	5
2.5 Tenants moving properties or exiting NHL	5
2.6 Complaints and appeals	5
Document information	6
Notice of liability	6
Copyright	6

1. About this document

1.1 Purpose of this policy

NSWALC Housing's water charging policy has been developed to ensure that staff and tenants have the information they need about how tenants are expected to meet their obligation to pay for water usage.

1.2 Scope and context of the policy

This policy applies to all tenants of NSWALC Housing with a Residential Tenancies Agreement.

1.3 Terms and definitions

These definitions apply to the interpretation of the terms used in this document.

Term	Meaning
Residential Tenancy Agreement	An agreement between a landlord and tenant whereby the tenant agrees to live in a property in return for rent. It is legal contract (lease) that sets out the terms and conditions of the arrangement.
Water Authority	The body/agency authorized to gauge and charge for water usage.
Tenant	The person who signed the Residential Tenancy Agreement

1.4 Relevant legislation, regulations or standards

- *Residential Tenancies Act 2010* [<https://www.legislation.nsw.gov.au/#/view/act/2010/42>]
- *Ministerial Guidelines for Community Housing Water Charging*
<https://www.facs.nsw.gov.au/download?file=333281e> 2015

2. Water charging policy details

2.1 Principles

The following principles will apply:

- All tenants are responsible for water usage charges to their property;
- NHL will charge tenants for water usage under S139 of the Residential Tenancies Act 2010 and the Ministerial Guidelines for Water Charging in Community Housing¹
- Tenants will be charged for their water usage in a manner which is consistent and transparent

2.2 Water charging methods

For NHL will calculate water charges as follows:

2.2.1 Properties with separate water meters

We will charge tenants the actual water usage cost, as per the invoice received from the Water Authority. A separate water meter must be readily accessible for reading by the Water Authority and generate an individual water account. If that is not the case, NHL will charge the tenants as if it is a shared meter dwelling. Water charges will be added to the tenant's account each water billing cycle – approximately quarterly.

2.2.2 Properties with shared water meters

NHL will charge a percentage of the tenants' rent for water usage in properties with shared water meters where NHL pays the water usage account. The percentage will be publicly available on the NHL website and will be reviewed annually. Water usage for social housing properties with shared meters will be capped at a maximum charge per household per week. This cap rate is also available on the website and is reviewed annually. Water charges for affordable housing will not be capped.

Since it is not possible to determine an individual usage charge for shared meters, the water charge is considered the tenant's contributions towards water usage costs. Water charges will be added to the tenant's account each week.

Each quarter, NHL will ensure that the charges for all of the tenants combined do not exceed the total water bill received from the Water Authority for that period. If the total amount paid by all tenants exceeds the total bill received by NHL from the Water Authority, NHL will reimburse tenants the amount that was overpaid.

2.2.3 Common area water usage

NHL will pay the water usage for all common areas. In properties with a shared water meter, NHL will ensure that a portion of the water bill is allocated against the common area usage.

¹ Separate ministerial guidelines apply to providers under the National Law. Where CHPs are registered under NRSCH and Part 5 of the Aboriginal Housing Act 1988 the CH Ministerial Guidelines will apply.

2.3 Payment of water usage charges

Tenants can pay their water usage in a lump sum payment or set up an agreement to pay an amount each week/fortnight. Any payments for water must be specified as water payments. If a water charge remains unpaid for more than 14 days from the date it is charged to the tenant's account, NHL may take action to recover unpaid charges.

2.4 Exemptions and allowances

NHL will consider exemptions/reduction to the water charging policy for tenants with separate water meters if:

- The tenant or a household member is on a home-based dialysis and/or;
- The tenant or a household member has a medical condition or disability that requires them to use significantly more water than usual.
- A tenant with a separate meter lives in a large household of six or more people.

To be considered for a water usage exemption or reduction, tenants should speak to their Housing Officer or call NHL. If the application is based on medical condition or disability, the tenant must be asked to provide documented evidence to support their application.

Allowances will be credited to the tenant's account at the end of each quarterly billing cycle.

There are no exemptions or allowances for tenants who are temporarily away from their properties.

2.5 Tenants moving properties or exiting NHL

If a tenant is transferring to another property or exiting NHL services, NHL will charge for water usage up to the end of the Residential Tenancy Agreement. In the case of tenants with separate water meters, this will be a pro rata estimate based upon the previous quarter's actual water bill.

2.6 Complaints and appeals

Tenants cannot appeal the decision to charge for water usage but they can appeal NHL decisions relating to water charging for tenants with shared meters or to NHL decisions about exemptions or allowances.

Tenants should, in the first instance, contact NHL and request a review of the water charges.

If unsatisfied with NHL's decision, tenants are entitled to lodge an appeal to the Housing Appeals Committee (HAC). The HAC is an independent agency that can review certain decisions made by community housing providers, including decisions in relation to water charges. For more information about the HAC call 1800 629 794 or go to www.hac.nsw.gov.au.

More information about making an appeal is available in the NHL policy on Complaints and Appeals.

In some instances, tenants may want to seek advice or assistance from the Energy and Water Ombudsman of NSW. For more information about the service provided by the Ombudsman call 1800 246 545 or go to www.ewon.com.au.

Document information

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