



**BIRRIBEE
HOUSING**

Eligibility for Social Housing Assistance Policy

Birribee Housing

ACN 631 178 848

Level 6, 33 Argyle Street

Parramatta NSW 2150

Email office@birribee.org.au

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1. About this document

1.1 Purpose of this policy

This document provides a guide to the eligibility rules for social housing managed by Birribee Housing.

The objective is for Birribee Housing to have robust operational practices that:

- Support delivery of affordable, secure and sustainable housing for Aboriginal people who are eligible for social housing products offered by Birribee.
- Support fair, transparent and consistent decision-making
- Ensure Birribee Housing's approach is consistent with the Homes NSW Eligibility for social housing policy and the requirements of the *Residential Tenancies Act 2010*
- Ensure that Birribee Housing's eligibility policy is sufficiently flexible to reflect the housing types and programs managed by the company.
- Provide an operating environment for Birribee staff that prioritises supporting tenants through the journey of securing housing.

1.2 Scope and context of the policy

This policy outlines eligibility criteria for all forms of social housing and housing assistance delivered by Birribee Housing. It outlines how Birribee will apply these in relation to Aboriginal and general social housing.

Affordable housing and properties owned by a Local Aboriginal Land Council (LALC) and considered LALC housing are governed by separate eligibility criteria, policies and processes.

1.3 Terms and definitions

Term	Meaning
Community housing	The subsidised housing products and services provided by not for profit, non-government organisations, known as community housing providers.
Public housing	This is the general social housing managed by the NSW Government. Note that the Government does not manage Affordable Housing, Transitional Housing, LALC Housing or Crisis Accommodation.

Term	Meaning
Housing Pathways	The system for applying for housing assistance, including social housing and private rental assistance in NSW. Under this system, applicants lodge a single application form to apply for assistance from government and participating community housing providers. This can be lodged online, by phone or at a local housing office.
Housing assistance	The subsidised housing products and services that community housing providers and the NSW Government provides to eligible people on very low, low or moderate incomes.
Social housing	<p>This is the most common form of Housing Assistance provided by Community Housing Providers. Social housing managed by the Government is also referred to as Public Housing. Social Housing refers to both:</p> <ul style="list-style-type: none"> • General Social Housing (ie social housing available to, but not specifically aimed at, Aboriginal people). • Aboriginal Social Housing: social housing owned by the Aboriginal Housing Office (AHO), another government agency or another Aboriginal community organisation and managed by an Aboriginal Community Housing Provider (or by Government) and used to house Aboriginal people in housing need.
LALC housing	Housing that is owned by a Local Aboriginal Land Council (LALC) and managed by the LALC or by another organization for the benefit of LALC members.
Affordable housing	Subsidised rental accommodation for people on very low, low or moderate incomes housing managed in accordance with the NSW Affordable Housing Ministerial Guidelines .
Transitional housing	Interim accommodation (generally from three to eighteen months) for people that are experiencing homelessness or people who are at risk of homelessness.

Term	Meaning
Crisis housing	Short term accommodation for a period of up to 3 months for people that are experiencing homelessness of people who are at risk of homelessness. Accommodation is provided under an occupancy agreement rather than a residential tenancy agreement.
Homes NSW	Homes NSW is the primary NSW government agency in NSW that provides housing assistance. Homes NSW is an agency within the Department of Communities and Justice. Homes NSW is a merger of two previous business streams/agencies of Land and Housing Corporation (LAHC) and Housing.
AHO	NSW Aboriginal Housing Office is a statutory NSW Government agency that focuses on housing assistance for eligible Aboriginal and/or Torres Strait Islander Peoples. AHO is a division of Homes NSW.

1.4 Related documents

- [Birribee Housing Allocations Policy](#)
- [Birribee Housing Complaints and Appeals Policy](#)
- [NSW Community Housing Eligibility Policy](#)

1.5 Relevant legislation, regulations or standards

- [Housing Act 2001](#)
- [Residential Tenancies Act 2010](#)
- National Regulatory System for Community [Housing](#)

2. Eligibility policy details

2.1 Applying for housing assistance

Applications for social housing assistance are managed under **Housing Pathways** (a system jointly managed by the NSW Government and community housing providers). The **Housing Pathways** system considers the housing needs of eligible applicants for housing assistance products.

Applications can be made by:

- Calling the **Housing Response Centre** on 1800 422 322, available Monday to Friday 9am to 5pm, or
- Accessing a local Homes NSW housing office, or
- Completing an online [application form](#) for housing assistance on the Housing Pathways site
- Birribee tenancy officers are also available to assist through this process

Applications may be assessed by either a community housing provider participating in Housing Pathways or by Homes NSW staff, including Housing Response Centre staff. If assessed as eligible, applicants will be listed on the NSW Housing Register.

Birribee Housing is a registered Housing Pathways provider and works within the No Wrong Door framework set out by Homes NSW. Birribee will provide reasonable support for people with a housing application. This includes;

- Providing advice on what the required documentation and evidence is required for a housing application to be made live on housing pathways.
- Provide application information and processes as above.

Birribee Housing does not currently process applications but is able to support applicants in understanding the evidentiary requirements, how applications will be assessed and where required can help in navigating the process.

For [further](#) information about applying please visit [Homes NSW](#).

2.2 Eligibility for general social housing

The [Eligibility for social housing policy](#) sets out the NSW Government's general criteria for eligibility for social housing.

To be eligible for social housing products offered by Birribee Housing, an applicant must:

- Be a citizen or have permanent residency in Australia
- Be resident in NSW
- Establish their identity
- Have a household income within the specified eligibility limits
- Not own any assets or property which could reasonably be expected to resolve their housing need¹

- Be able to sustain a tenancy (with appropriate support if needed)
- If applicable, make repayments of any former debts to a social housing provider
- In general, be 18 years of age or older

Additional eligibility criteria may apply for properties under specialist housing programs or arrangements such as social housing properties available from AHO or areas subject to a Local Allocation Strategy. This additional eligibility criteria can include a requirement for an occupant (AHO) or the primary tenant to be Aboriginal. Proof of Aboriginality can be required and this is explained in Birribee's confirmation of Aboriginality Policy.

2.3 Income eligibility limits for social housing

Applicants for all social housing must meet NSW Government-specified income eligibility limits detailed in the [Social Housing Eligibility Products and Allocations Policy Supplement](#).

The income eligibility limits set out the maximum income (before tax and including income generated from assets) that a household can earn and be eligible for social housing. A household is eligible if their total assessable household income is equal to or below the specified threshold. Any income generated by the applicant and their spouse/partner, and any other household members 18 years of age or older is included in the assessable household income. Some statutory incomes are excluded and some are discounted.

2.4 Eligibility of former tenants

Additional [eligibility provisions](#) apply in relation to former social housing tenants who have a debt to a housing provider, or whose previous tenancy was terminated. These provisions are explained below.

A former social housing tenant is someone who has previously lived in a Birribee Housing managed social housing property, or in another type of social housing and has since vacated the property. They can apply to be on the NSW Housing Register, but the application is subject to any categorisation of the prior tenancy:

- Eligible for a statement of satisfactory tenancy, or
- Satisfactory former social housing tenant, or
- Less than satisfactory former social housing tenant, or
- Unsatisfactory former social housing tenant, or
- Ineligible former social housing tenant.

The satisfactory former tenant category does not affect eligibility for social housing. Less than satisfactory former social housing or Unsatisfactory former social housing tenant categorisation will restrict subsequent applications and requires specific conditions to be met before the application will go live on the NSW Housing Register.

Birribee is only able to set the conditions for its own previous social housing tenants, specific conditions for other former social housing tenants will be set by the previous social housing managing entity.

Ineligible former social housing tenants will require an approval from a Homes NSW District Director, a CEO of a Community Housing Provider, or in the instance that it was a AHO property for the tenancy, a AHO delegated officer. This is a discretionary approval and will consider the factors/behaviour that led to the previous breach of tenancy and the consequences for the ineligible former social housing tenant if they continue to be ineligible for social housing.

In instances where a less than satisfactory, unsatisfactory, or ineligible categorisation had been made and the tenancy is progressing towards a new housing allocation with Birribee, Birribee can meet and explore the prior

concern with a view to supporting the household to not have repeated instances of the past concerning behaviour.

In instances where there is an outstanding social housing debt it is affected by the amount and activity taken to repay the debt.

If it less than \$500, a former social housing debt acknowledgment is required and evidence of repayment history is also sought.

If it is more than \$500, often resulting in a less than satisfactory former social housing categorisation, then evidence of regular repayments is required. The repayment amount can be set by the prior social housing provider and will affect the application going live on the NSW Housing Register.

For former Birribee social housing tenants the debt will need to be paid down below \$1,000 on the prior Birribee tenancy before it will support the application to go-live on the NSW Housing Register. For AHO properties this determination is subject to review by AHO. Additionally, the Birribee Chief Executive Officer can waive the requirement for the debt to be paid down below \$1,000 based on circumstances related to the debt or former tenancy that give rise to this consideration.

For former Birribee social housing tenants any prior debt will be carried forward into the current tenancy and there will be a requirement for repayment of all remaining debts. If regular payments do not continue it will be managed as a breach of the tenancy agreement.

3. Complaints and appeals

If a tenant is not satisfied with our service or does not agree with a decision we make, including to the calculation, backdating or cancellation of a rent subsidy, they can ask for a formal review. Further information is available in the Birribee Housing Complaints and Appeals Policy.

If a tenant is unhappy with the outcome of an appeal to Birribee Housing, they can lodge a second level appeal with the Housing Appeals Committee. The Housing Appeals Committee is an independent agency that can review certain decisions made by Community Housing providers. Visit the [Housing Appeals Committee](#) for further information or call 1800 629 794.

Document information

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