

Housing for Aboriginal and Torres Strait Islander People

FACT SHEET

July 2008

Housing NSW is committed to providing safe, low cost and culturally appropriate housing and tenancy services for Aboriginal and Torres Strait Islander people living in NSW.

This fact sheet tells you about those services and how to contact Housing NSW for help and advice. The fact sheet is divided into four sections for easy use:

1. Frequently asked questions
2. How does Housing NSW help?
3. Tips on tenancy
4. Further information

Housing NSW has made important changes to eligibility for public housing. These changes apply to applicants and tenants for Housing NSW and Aboriginal Housing Office (AHO) properties managed by Housing NSW. All policies that Housing NSW applies to AHO tenants have also been approved by the AHO.

FREQUENTLY ASKED QUESTIONS

Why is Housing NSW making changes?

Housing NSW is making changes to make sure we have a fair public housing system. We house:

- households that may not have much money and need help from other people or groups to live on their own in the community
- households that don't have much money and have problems finding private rental homes.

Am I eligible for public housing?

To be eligible for either Housing NSW or Aboriginal housing you must:

- live in NSW
- have an income that is within current limits as outlined in the *Income Eligibility Limits* fact sheet
- not own, or part-own a home
- repay, or agree to repay, any outstanding money you owe to Housing NSW or AHO.

If you want an AHO home that is looked after by Housing NSW you must show proof of Aboriginality. You can do this by completing a Housing NSW, Aboriginal Housing Office Declaration form (Declaration form).

What is the difference between Public and Aboriginal Housing Office homes?

There are two types of housing managed by Housing NSW:

- Public Housing – Aboriginal applicants have the same right to be housed in public housing as all other applicants
- AHO homes – These are properties owned by the Aboriginal Housing Office and looked after by Housing NSW staff.
 - If you want an AHO home either you or a household member must be Aboriginal or Torres Strait Islander. You will need to complete a Declaration form
 - If you fill in the Declaration form, you can have your name put on both Housing NSW and AHO housing list.

How do I apply for housing?

To apply for a Housing NSW or AHO home that is looked after by Housing NSW, you can:

1. pick up a Housing Register Application form from your local Housing NSW office or the AHO or ring the Aboriginal Enquiry Line on Freecall 1800 355 740 and ask them to send out a form



2. fill out the Housing Register Application form
3. return the Housing Register Application form to your local Housing NSW office with the proof Housing NSW needs.

The proof you might need to show is:

- your bank statement, bank book, driver's licence, birth certificate
- income statements from Centrelink
- your pension card or Medicare card
- an AHO Declaration form
- a letter from your doctor or support worker
- an income statement from your employer if you are working
- a statement from CDEP.

The Housing Register Application form will tell you what proof you need to show. If you need housing urgently you may be eligible for priority housing. You will need to:

- fill in a Housing Register Application form and a Priority Housing Application form. You can get both of these forms from your local office
- ask your doctor to complete a Medical Assessment form if you or a household member has a medical condition
- give us other things that show your need is urgent.

People who are approved for priority housing will be housed before most other people on the housing list. If you need help filling in your Priority Housing Application form, you should speak to a Client Service Officer or ask a friend or support worker for help.

For information on current income eligibility limits for public housing please refer to the *Income Eligibility Limits* fact sheet available from the Housing NSW website.

What happens after I apply?

After you return your Housing Register or Priority Application form to a Housing NSW office, we will:

- look at the information you gave us to see if you are eligible for public housing
- send a letter telling you the outcome
- let you know if you will get a 2, 5 or 10 year lease when it is your turn to be housed. This will be checked again when a property is offered to you.

How long will I wait for housing?

When you apply for public housing we will let you know about how long the wait is in the area you want. The time you wait depends on things like:

- the number of homes becoming available as others leave
- the number of people who've been waiting longer than you
- the number of people we have approved for priority housing or priority transfer because we will house these people before other people.

If it will be a long wait in the area where you want to live, you may like to pick another area so that you may be housed quicker.

What sort of lease will I get?

You will get a fixed term lease of 2, 5 or 10 years that will match the needs of your household members. This will happen if you are:

- applying for housing with Housing NSW
- currently on the Housing NSW or AHO lists for public or Aboriginal housing

It is illegal for an officer of the Department to ask for money or favours or other benefits of any kind in exchange for helping you with your housing needs.

It is also illegal for you or anyone else to offer money or favours or other benefits of any kind to an officer of the Department in exchange for helping you.

If you have any information regarding this, please contact the **Department of Housing's Business Assurance Unit on 1800 806 206**. The Department may refuse the provision of further housing services to anyone who has engaged or sought to engage in corrupt or illegal conduct .

How does Housing NSW decide what length of lease to offer?

In deciding on the length of the lease Housing NSW will look at:

- the age of household members. For example:
 - a household with an Aboriginal or Torres Strait Islander member who is aged 45 years or over will get a 10 year lease. This will only happen if that person has a completed Declaration form
 - households with a child under 10 years will get a 5 year lease.
- the type of payments household members receive. For example:
 - households with a person on a Disability Support payment would get 5 years
 - a single person on a Newstart payment would get 2 years.
- the disability or medical condition of household members. For example:
 - households with a member who has a lasting medical condition or disability is likely to receive a 5 or 10 year lease.

What happens if I am an unsatisfactory former tenant of Housing NSW or the AHO?

We will ask you to rent in the private market for at least six months. If you can rent in the private market with no problems, we will put your name back on the housing list. When it is your turn to be housed, we will offer a lease of six months. If you breach the lease, no extension will be offered. If you are a satisfactory tenant over this time, we will offer to extend your lease for 2, 5 or 10 years.

If you owe more than \$500 from a previous tenancy, your application for housing will be suspended for six months. During this time you must make regular repayments to reduce the debt.

What happens when it is my turn for public or Aboriginal housing?

When it is your turn for housing, Housing NSW will offer you a home that meets the needs you have told us about in your Housing Register Application form. You can say no to the offer if you have looked at the home and decided it is not right for your household. When we have another home for you, we will give you another offer. You will only get two offers.

What happens at the end of my lease?

Housing NSW will review your lease, then write to you to let you know if you are eligible for an extension to your lease. If you have been told that you are not eligible for an extension of the lease, Housing NSW will not offer to extend your lease and you must move out of the home when your current lease ends.

HOW DOES HOUSING NSW HELP?

You need to be eligible for public housing to get other types of assistance. Aboriginal people can expect to receive respect, good service and correct information from Housing NSW staff.

Rentstart Standard

Rentstart helps you move into a private rental home, flat or caravan. You will need to find the home yourself. Make sure that you can afford the rent. Ask Housing NSW to check for you. Rentstart helps you by:

- paying up to 75% of the bond.



Rentstart Plus

If you have to move out of your home and into a private rental home because of a family break up or if the real estate agency or the owner wants you to leave you can ask for extra help. You need to give letters from your supports, eg: Aboriginal Medical Service, to be looked at for Rentstart Plus. This helps you by:

- paying all of the bond and/or
- paying one or two weeks upfront rent.

Rentstart – Tenancy Assistance

Rentstart-Tenancy Assistance may be able to help you keep your private rented home if you have been asked to leave because you are behind in the rent. Housing NSW can pay up to four weeks rent, if they are sure that you will be allowed to stay.

Help for homeless people

If you don't have a place to stay, you can get help from:

- the Homeless Persons Information Centre on 9265 9087 for the Sydney city area or Freecall 1800 234 566 for all other areas
- your local Housing NSW office, Monday to Friday, 8.30am - 4.30pm (closed public holidays and 8.30am-1.00pm on Wednesdays). Office hours may vary in some locations
- the Temporary Accommodation line on Freecall 1800 152 152. The staff of the Temporary Accommodation line may be able to help with a place to stay until your nearest Housing NSW office opens. They can help with accommodation in the Sydney city area and some NSW district areas.

Special Assistance Subsidy

If you are approved for priority housing and have a disability or HIV/AIDS, and there are no homes at the time, you may be eligible for help with your rent in a private rental home.

TIPS ON TENANCY

Housing Contact Centre

The Housing NSW Contact Centre is the place to call if you need your AHO or Housing NSW home fixed. The centre is open all day and night, every day of the year. You can call the Housing Contact Centre on 131 571.

Client Feedback Line

Housing NSW likes you to tell us about its services. You can tell us good things or if you have a problem with what we are doing. If the problem is about a staff member, a more senior staff member will look at it for you. You can make a free call to the Client Feedback line on 1800 652 059.

Aboriginal Enquiry Line

An Aboriginal staff member of Housing NSW works on this phone line Monday to Friday. They can help you with your housing and rental issues. If an Aboriginal staff member is not there when you ring, you can leave a message. An Aboriginal staff member will call you back as soon as they can. You can talk to a non-Aboriginal staff member if you want.

You can make a free call to the Aboriginal Enquiry Line on 1800 355 740.

Help with tenancy issues

If you want to know more about what you need to do when you rent a home talk to a Client Service Officer or call the Aboriginal Enquiry Line. The Department of Fair Trading will also help you with problems if you are renting. You can ring them on Freecall 1800 500 330. You can also contact your local Aboriginal Tenancy Advocacy Service.

If you are having any troubles with tenancy issues and need some more help you can sign a disclosure form. This means that we can talk to your support person or worker with your permission.



How to pay the rent

You can pay your rent:

- through the Rent Deduction Scheme
- at Australia Post
- by direct debit from your bank account.

The Rent Deduction Scheme is an easy way to pay rent if you receive Centrelink payments. This lets you have rent taken from your payment and sent straight to Housing NSW.

Problems paying the rent

If you are having trouble paying your rent, speak to your Client Service Officer as soon as possible. Tell them what is happening and work out a way to fix it.

Enjoying your home

You have the right to enjoy your home and where you live without noisy and rude neighbours. We want you to feel safe in your home. If you are having trouble, try to sort out the problem with your neighbour. If this does not work, please talk to your Client Service Officer at your local office about what is going on.

Visitors

Friends and family can come and stay for four weeks. If they stay longer than four weeks and you want them to live in your home, you must fill in an Application for Additional Occupant form. If you do not tell us when someone else is living with you for longer than four weeks the help we give with the rent could be stopped. If you have someone move into your home fulltime and do not tell us, this is fraud.

Visitors sanction

In general, tenants do not need Housing NSW approval to have a visitor stay with them for up to four weeks (28 days). However, in certain cases Housing NSW can apply a visitor sanction (three day rule) to a tenancy. This means that if the Team Leader has proof that you haven't kept your

Tenancy Agreement they can say that you can't have visitors staying for more than three days without telling Housing NSW. This can only happen when there is proof of nuisance and annoyance, undeclared additional occupants or rental subsidy fraud. If you live in Aboriginal Housing, then the AHO must also agree to this visitor sanction. This approval from the AHO will be managed by your Client Service Officer.

Leaving your home for a short while

If you need to leave your home for more than six weeks, you must tell Housing NSW. You can do this by telling a Client Service Officer or writing to tell us about how long you will be away. You will need to tell Housing NSW even if there are other family members in your home while you are gone.

Leaving your home for good

If you are leaving your home and won't be coming back, you should tell your Client Service Officer three weeks before you go. If you leave without telling, you will still have to pay the rent and may have to pay for any damages that happen.

Property damage

If you have any rubbish at your home you will need to remove it properly. Please do not burn any sort of rubbish in the garden or yard. Please phone the Housing Contact Centre as soon as possible on 131 571 if any repairs need to be done in your home. If you have anyone over to visit in your home and they damage it, you will have to pay for the repairs.

Being a good neighbour

Please make sure that all household members and visitors respect your neighbours' right to peace and quiet.



Pets

If you have a pet, you must make sure the pet is not causing a problem to others. If we decide that your pet is causing problems for neighbours or that it is not alright for the pet to be at your home, you must remove the pet from your home within 48 hours of Housing NSW sending you a message in writing.

Transferring to another Housing NSW or AHO home

You can apply for a transfer to another home, if where you live doesn't meet your needs. Households most in need of a different home have priority for transfer. To be approved for a transfer, your household will need to meet the income limits set out in the Income Eligibility Limits fact sheet.

Mutual exchanges (swapping homes)

If you want to swap you must ask Housing NSW. You can swap your home with another one of our tenants. You can only swap an AHO home if the tenant moving in is eligible for Aboriginal housing.

When we find a match for you, we will tell you about the other tenant. You need to talk to the other tenant so you can look at each other's homes and work out if you both still want to swap.

You cannot swap homes without talking to your local Housing NSW office. The office has to check that everything is still ok before they can let the swap happen.

Succession of tenancy

This is when the tenant can't live in their home anymore and another household member may ask to take over the lease for the home.

If the home is an AHO home looked after by Housing NSW and you are not living in the home, you might be able to get the lease to

the home, if you meet the income limits and:

- are the tenant's child
- grew up in the home
- at least one member of the new household is confirmed as Aboriginal.

Fixed term leases

A fixed term lease has a start and an end date with its length matched to your housing need. Housing NSW looks at your needs again before the lease ends to see if we will extend your lease.

All new leases are now fixed term leases.

Continuous leases

A continuous lease keeps going as long as the tenant wants, even if they transfer or mutually exchange homes, provided the terms and conditions of the tenancy agreement are met. Continuous leases were provided before fixed term leases began on 1 July 2005.

Termination of your lease

If you receive a Notice of Termination in the mail you must contact your local office as soon as possible.

If you receive a Notice of Termination for anything, you do not have to leave your home right away. You do need to talk to your local Housing NSW office and work out how to fix the problem straight away. If you don't talk to the local office we may take the home back.

FURTHER INFORMATION

Do you know?

Housing NSW gives:

- homes to applicant households with Aboriginal or Torres Strait Islander members who are 55 years or over before most other people on the housing list
- Aboriginal and Torres Strait Islander families an extra bedroom in public



housing, if they ask for it, to help meet family needs

- households a lease of 10 years if the household has at least one Aboriginal or Torres Strait Islander member aged 45 years or older. This person must give Housing NSW a completed Declaration form.

All applicants for AHO accommodation are required to provide evidence that they are Aboriginal or Torres Strait Islander. This evidence should consist of a Declaration form. The applicant should complete the Declaration form and have their signature witnessed prior to the recognising organisation completing the Resolution part of the form.

Aboriginality is now taken into consideration when determining the length of every Housing NSW and AHO lease for new tenants. Households that include an Aboriginal person aged 45 years or over will be entitled to a 10 year lease. The same Declaration form needs to be completed.

Section 178BB of the Crimes Act 1900 makes it an offence to knowingly make a statement that is false or misleading and to make a statement with reckless disregard for whether it is false or misleading. This offence is punishable by up to five years imprisonment.

Guidelines for Recognising Organisations

Community organisations considering whether to certify the Declaration form should appreciate that they bear a heavy responsibility in both ensuring that only Aboriginal persons or Torres Strait Islanders receive entitlements and that people who are not Aboriginal people or Torres Strait Islanders do not receive them.

Organisations should not provide confirmation unless they have satisfied themselves that the applicant is Aboriginal or Torres Strait Islander and that he or she

identifies as such and that the applicant has community recognition.

Confirmation will be accepted from one of the following Community Organisations:

- An Aboriginal or Torres Strait Islander association incorporated under Part IV of the Aboriginal Councils and Associations Act 1976
- Aboriginal Land Councils within the meaning of the Aboriginal Land Rights Act 1983
- An incorporated community organisation where all the members of the governing body are Aboriginal or Torres Strait Islander or both.

Such confirmation must be approved by a resolution at a formal meeting of the organisation's governing body and the record of the resolution is to be sealed with the organisation's Common Seal and signed by the authorised signatories.

How can I find out about what Housing NSW and AHO do?

You can:

- call into your local Housing NSW office and speak to the client service staff
- make an appointment to speak with a Client Service Officer
- bring along a support worker if you want help with any housing needs
- go to your local Aboriginal Outreach service
- phone the Aboriginal Enquiry Line on 1800 355 740 (Monday to Friday 8.30am-4.30pm)
- read the handouts and fact sheets available from your local office
- check on the Housing NSW internet site www.housing.nsw.gov.au
- contact the Aboriginal Housing Office Information Service.





Important phone numbers

Aboriginal Enquiry Line
Freecall 1800 355 740

NSW Department of Housing
Freecall 1800 629 212
24 hours, 7 days a week

After Hours Temporary
Accommodation Freecall
1800 152 152

Client Feedback Freecall
1800 652 059

Homeless Persons Information
Centre 02 9265 9087
Sydney metropolitan area
Freecall 1800 234 566 other areas

Maintenance
(Housing Contact Centre) 131 571

Aboriginal Housing Office
02 8836 9444

Aboriginal Housing Information
Service Freecall 1800 727 555

If you are hearing impaired,
please contact the TTY Service
on 1800 628 310.

Appeals and review of decisions

If you disagree with Housing NSW's decision, you should first discuss your concerns with a Client Service Officer. The next step if you still believe we made the wrong decision is to ask for a formal review of the decision. For information on how reviews work, ask the Client Service Officer for a copy of the fact sheet *Reviewing Decisions*, or go to Housing NSW website to read the *Appeals and Review of Decisions* policy.

There are two levels of review or appeal.

You can lodge the first appeal by filling in a Reviewing Decisions form, available from your local Housing NSW office. The staff member who does the first internal review will be more senior than the one who made the original decision.

If your first appeal is declined, you can apply for another review which is looked at by the Housing Appeals Committee. This is called a Second Level Appeal request. This form is available from your local Housing NSW office.