



THE BUTTERY

ENRICHING LIVES

TENANCY ALLOCATION POLICY

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| Document #: | GEN.POL.023 |
| Version #: | 1 |
| Document Status: | Final |
| Effective Date: | 11/04/2023 |
| Approved by: | Quality Assurance Committee |
| Next Review Date: | 10/04/2025 |

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1. POLICY STATEMENT

The Buttery Limited (The Buttery) is responsible for managing the allocation of tenancies across a variety of housing products and programs including community housing, supported housing and transitional housing arrangements. This document outlines The Buttery's policy in relation to the prioritisation and allocation of tenancies across all product and program types.

2. SCOPE

This policy applies to all applications who will be housed by The Buttery.

3. DEFINITIONS

| | |
|--------------------------------------|---|
| Housing Appeals Committee | Means the independent agency that deals with appeals from people who are unhappy with a decision/s made by social housing providers in accordance with the Housing Appeals Charter . |
| Housing Pathways | The way applications for housing assistance are managed in NSW. It is a partnership between the NSW Department of Communities and Justice and participating community housing providers. Housing Pathways provides: <ul style="list-style-type: none"> • coordinated information about housing assistance, • a single application process, • common eligibility criteria for housing assistance, • a standard assessment process, and • a single waiting list known as the NSW Housing Register. |
| NSW Housing Register | Is the single list of approved applications waiting for social housing operated and maintained by the NSW Department of Communities and Justice. |
| Residential Tenancy Agreement | Means an agreement made under section 13 of the <i>Residential Tenancies Act 2010 (NSW)</i> . |

4. GENERAL SOCIAL HOUSING

This policy aligns with the NSW Department of Communities & Justice (DCJ) [Social Housing Policy](#) and [Social Housing Eligibility and Allocations Policy Supplement](#). Only those eligibility criteria and entitlements that are specific to The Buttery are included in this policy.

The Buttery will prioritise the allocation of properties within its general social housing portfolio as follows:

Management initiated transfer – where The Buttery is required to relocate a tenant to another property for management purposes. Refer to Section 5 The Buttery Management Transfer Policy for further information.

Commitments under formal **Housing & Support Partnerships** – reflecting our formal contracts with Government and community organisations to house priority needs clients.

Priority approved transfer applicants - this will enable all social housing providers to better manage their responsibilities to existing tenants and ensure that available social housing can better meet the needs of new applicants.

Priority approved applicants – reflecting the fact that the priority needs of applicants require these applicants to be housed earlier.

4.1. Management Initiated Transfers

Management initiated transfers are undertaken where The Buttery is required to relocate a tenant to another property for management purposes. These allocations are undertaken outside the NSW Housing Register. For further information refer to Section 5 The Buttery Management Transfer Policy.

4.2. Housing and Support Partnerships

The Buttery has taken an active role in housing vulnerable people who require support to sustain their tenancy. We work in partnerships under a formal agreement between The Buttery and the relevant Government or non- government organisation providing support services.

The housing and support partnerships cover long term housing and transitional housing arrangements for particular client cohorts such as rough sleepers, people with mental health issues, young people and women and children who have experienced family violence.

Some of these arrangements are for long term social housing, however, the majority provide transitional housing opportunities. Transitional housing is medium term housing usually for a period of between 6 -18 months. Unlike long term social housing, tenants will be expected to move to more appropriate long term housing options.

In most cases the support organisation is responsible for nominating eligible clients. Applicants must be eligible for social housing and be priority approved on the NSW Housing Register in order to be allocated to The Buttery properties used for support partnerships.

All tenants will be required to have a formal support plan in place and must be actively engaged in support unless mutually agreed between the tenant, The Buttery and the support provider. In the case of transitional housing, a formal exit plan that is mutually agreed between The Buttery, the tenant and support provider is required to support exit to longer term housing options at the end of the tenancy term.

4.3. General Community Housing – Housing Pathways

Priority approved transfer applicants - this will enable all social housing providers to better manage their responsibilities to existing tenants and ensure that available social housing can better meet the needs of new applicants.

Priority approved applicants – reflecting the fact that the priority needs of applicants require these applicants to be housed earlier.

General wait turn and transfer applicants.

4.4. Additional Considerations

Where possible, The Buttery seeks to maximise the allocation of properties to Aboriginal and Torres Strait Islander applicants in recognition of the higher levels of disadvantage facing these applicants. We regularly monitor our allocations to aim towards a minimum of 10% of all allocations or at least one in every 10 applicants offered housing will be of Aboriginal or Torres Strait Islander origin.

When allocating a property or properties, The Buttery must consider the need to support the peace and enjoyment of existing tenants and communities as well as any particular requirements of a property, for example whether it is disability accessible or is hard to let.

For the reasons outlined above not all allocations will be made in accordance with the categories outlined above and staff will need to consider the property configuration and community needs prior to allocation.

5. THE BUTTERY TENANCY MANAGEMENT POLICY

While The Buttery is subject to the NSW Department of Communities & Justice (DCJ) [Social Housing Policy](#) and [Social Housing Eligibility and Allocations Policy Supplement](#) there are some differences in policy between community housing and public housing providers.

5.1. Tenure

The Buttery has continuous tenure for general community housing. Tenants will be expected to sign a Residential Tenancy Agreement and provided they comply with this agreement they will be able to maintain their tenancy in the longer term.

5.2. Bedroom Categories

Table 1 outlines the standard bedroom entitlements for The Buttery. Table 2 outlines the Bedroom entitlements relating to the need to accommodate children and the evidence required to substantiate these entitlements. These apply to all The Buttery properties including general social housing, affordable housing and transitional supported.

Table 1: Standard bedroom entitlements for The Buttery

| Household Type | Standard Bedroom Entitlement |
|--|--|
| Single people | Studio or one bedroom |
| Couples | One bedroom |
| Single people or couples with one other household member | Two bedrooms |
| Single people or couples with two other household members | Two bedrooms |
| Single people or couples with three other household members | Three bedrooms |
| Single people or couples with four other household members | Three bedrooms |
| Single people or couples with five or more other household members | Four bedrooms or, if available, five or more bedrooms. Applicants who have a five-bedroom household complement will generally be offered a four-bedroom property unless a five-bedroom property is vacant when the applicant's turn is reached. This is because of the limited availability of five-bedroom accommodation. |

Table 2: Bedroom entitlements related to accommodating children

| Situation | The Buttery Response |
|--------------------------------|---|
| Child is over 18 years of age | The person is considered to be an adult when calculating the minimum bedroom entitlement. |
| Shared bedrooms | Same sex children up to 18 years of age are expected to share a bedroom. Male and female children are expected to share a bedroom until one of the children reaches 10 years of age. |
| Children can't share a bedroom | The Buttery will allocate an additional bedroom where the applicant has demonstrated a need for same sex children, or children under 10 years of age, to have separate bedrooms. Examples of situations where an extra bedroom could be appropriate include where there is a large age gap between the children or behavioural factors. |

| Situation | The Buttery Response |
|--|---|
| Shared custody | The child/children are considered to be part of the household if the applicant has shared custody of children for three days and three nights per week or more. Normal bedroom entitlements apply. |
| Access visits from children | The children are not considered to be part of the household if they visit for less than three days and three nights per week. The applicant must demonstrate a need for an extra bedroom to accommodate access visits. |
| Future needs of children who may need separate bedrooms in two- or three-years' time | The Buttery will take this into account when matching the applicant to a property if it can. The Buttery will make this decision on a case-by-case basis according to the size and type of housing that is available in the area. |

Table 3: Information required substantiating the need for an extra bedroom

If an applicant has a requirement for an extra bedroom for medical or family reasons, they must substantiate this need.

| Situation | Information Required |
|---|--|
| Extra bedroom due to medical condition or disability. | <p>Documentation from the applicant's health care professional (e.g. specialist, physiotherapist, occupational therapist or psychiatrist) that supports the need for an extra bedroom.</p> <p>Evidence of the need for a separate room for a partner if a disability (or routines associated with a disability) require the couple to sleep separately.</p> <p>Evidence of the need for an extra bedroom for a family member, carer or support worker to stay when providing regular short-term periods of support, e.g. minimum 2 nights per week or equivalent weeks over multiple times for the duration of the tenancy.</p> <p>Evidence that the temporary carer resides in another permanent tenancy.</p> |

6. TYPE OF HOUSING OFFERED TO APPLICANTS

In general, a new applicant for The Buttery cannot specify the type of housing that they would prefer unless they have documentation to support a specific need.

When allocating properties, The Buttery will consider the needs of a household subject to availability. Where applicants have special needs, they must substantiate their need for certain entitlements. An applicant may have special requirements for their accommodation based on medical, social, or other factors.

If an applicant wishes to be housed with social housing and can substantiate these needs, a provider may approve them for the following specific types of accommodation:

- Ground floor
- Modified property
- Property with wheelchair access
- Property with a certain number of steps

If an applicant has other needs that require a specific type of accommodation or accommodation in a specific location, they must substantiate this need. For example, they may need to be close to medical practitioners, or they may need to be housed in an area because of cultural needs and support, or they may have a child that needs to attend a special school.

Table 4: Information required to substantiate housing needs

Table 4 outlines the information required by The Buttery to substantiate specific housing needs.

| Situation | Information Required |
|--|---|
| <p>Location within allocation area – need for a property located within a specific part of an allocation area.</p> <p>For example, for access to cultural supports, a specific medical practitioner, a special school, or neighbourhood supports for people with a disability etc.</p> | <p>Documentation substantiating the need for the specific location.</p> |
| <p>Shared custody – need for a larger property to accommodate children. Minimum stay of three days and three nights.</p> | <p>Substantiation of the shared custody arrangement through information such as one or more of the following:</p> <ul style="list-style-type: none"> • Documentation from the Family Court. • Statutory Declaration from the applicant. • Centrelink payment information. • Bank account details. |

| Situation | Information Required |
|--|---|
| <p>A studio unit is unsuitable due to:</p> <ul style="list-style-type: none"> • Medical condition or disability. • Requires a carer. • Family Complement including households with more than one person, pregnancy, shared custody, access visits or child restoration. | <p>Documentation that demonstrates that this type of property will adversely affect the applicant's health (e.g., due to claustrophobia) including:</p> <ul style="list-style-type: none"> • Medical Assessment from the applicant's health care professional • Report or letter from a health care worker or a support agency • Only single person households will be offered a studio unit. An applicant with family reasons or carer requirements needs to provide documentation to demonstrate their need for additional bedrooms as outlined above. |
| <p>A high-rise unit is unsuitable due to:</p> <ul style="list-style-type: none"> • Medical condition or disability. • A child or young person at risk. | <p>Documentation that demonstrates that this type of property will adversely affect the applicant's health (e.g., due to claustrophobia) including:</p> <ul style="list-style-type: none"> • Medical Assessment from the applicant's health care professional • Report or letter from a health care worker or a support agency <p>Documentation that demonstrates that the applicant has special housing requirements due to risk to a child or young person including:</p> <ul style="list-style-type: none"> • Current report or letter from a health care professional, health care worker, support agency, Police, or justice systems officers (e.g., advising that the applicant cannot reside in a high-density area). • Current report or letter from a school Principal or counsellor, or a community support provider (e.g., from a refuge or community centre supporting the young person). |

7. MATCHING AND OFFERING A PROPERTY TO AN APPLICANT

Table 5: The Buttery property types

| Property Type | Applicant |
|---|--|
| General properties Community housing property owned by The Buttery or head leased. | <ul style="list-style-type: none"> Applicants with needs that can be met by the type, size, and location of the particular property. |
| Transitional Housing | <ul style="list-style-type: none"> The properties in this category are short term transitional leases provided as Transitional Housing. |
| The Buttery Drug and Alcohol Treatment Services (DATS) Program properties | <ul style="list-style-type: none"> The properties in this Buttery complex are specifically for people participating in the DATS Program. |
| The Buttery HASI Plus | <ul style="list-style-type: none"> The properties in this Buttery complex are specifically for people participating in the HASI Plus program. |

8. ACCEPTING, REJECTING, AND WITHDRAWING OFFERS AND SUSPENDING APPLICATIONS FOR COMMUNITY HOUSING

Table 6 below sets out the criteria for making decisions about when an offer of The Buttery is accepted, rejected, or withdrawn, and/or when an application is suspended.

Table 6: Criteria for accepting, rejecting, and withdrawing Buttery housing offers and suspending applications.

| Situation | Evidence |
|----------------|---|
| Offer accepted | The applicant has accepted a property offered by The Buttery and signs a tenancy agreement. |

| | |
|------------------------|---|
| <p>Offer rejected</p> | <p>The offer of housing meets the matching requirements and:</p> <ul style="list-style-type: none"> • There are no grounds for suspending the applicant’s NSW housing register application, and • The applicant did not provide any new, substantiated information to The Buttery about their needs within the required timeframe, or <p>The offer of housing meets the matching requirements and:</p> <ul style="list-style-type: none"> • The applicant has declined the offer for a reason that The Buttery or Housing NSW considers to be a personal preference because it does not directly impact on the applicant’s housing needs. Common examples include: <ul style="list-style-type: none"> ▪ Wanting a property made out of brick. ▪ Wanting gas rather than electricity. ▪ Not liking the neighbourhood. ▪ Not liking the cladding, internal or external layout, design, or colour scheme of the property. ▪ Wanting a bath rather than a shower. ▪ Wanting a different suburb (where locational need for a particular suburb has not been established). ▪ Wanting a specific street. ▪ Wanting to live near shops, family, school (where locational need has not been established). ▪ Wanting a different type of property (single tenancy rather than sharing). ▪ Wanting to live on a specific floor of a block of units. ▪ The offer of housing meets the matching requirements, and the applicant has declined the offer due to not liking, or being unwilling to accept, the specific requirements of the housing provider, for example: <ul style="list-style-type: none"> - The type or length of lease offered, or - Payment of bond for a community housing property. |
| <p>Offer withdrawn</p> | <p>The Buttery offered the property but now needs it for an applicant with more urgent needs; or</p> <p>The Buttery matched the applicant to the property but did not provide the details to the applicant because the applicant’s needs or circumstances had changed; or</p> <p>The Buttery matched the applicant to the property but did not provide the details to the applicant because they did not meet the eligibility criteria; or</p> <p>The applicant did not accept the property and The Buttery has decided that the applicant’s decision is valid because, based on information provided by the applicant, the property did not meet their needs. Such information may include a letter and other information provided by the applicant explaining their reasons for declining an offer and supplying relevant supporting documentation such as:</p> <ul style="list-style-type: none"> • A Medical Assessment Form. • A letter from their doctor or health care provider. |

| | |
|-----------------------|--|
| | <ul style="list-style-type: none"> • A letter from their support provider. • A letter from their employer. |
| Application suspended | <p>Information from the applicant demonstrating that they are temporarily in a situation where they are unable to accept an offer due to circumstances beyond their control. These circumstances include, but are not limited to, situations where the applicant:</p> <ul style="list-style-type: none"> • Is experiencing illness or hospitalization. • Is overseas or on holidays. • Cannot terminate a residential tenancy agreement. • Is in prison. |

9. COMPLAINTS AND APPEALS

This is an appealable policy.

If a tenant is not satisfied with a service provided by The Buttery or does not agree with a decision it has made, they can ask for a formal review. To do this, the tenant can lodge a complaint pursuant to the Tenant Feedback Policy. This policy and the Tenancy Feedback Form are available from The Buttery's office or can be downloaded from our website www.buttery.org.au.

If a tenant is unhappy with the outcome of an appeal to The Buttery, they can lodge a second level appeal with the Housing Appeals Committee. The Housing Appeals Committee is an independent agency that reviews certain decisions made by staff of Community Housing Organisations and Housing NSW. For information on the Housing Appeals Committee call 1800 629 794 or go to www.hac.nsw.gov.au.

10. RELATED DOCUMENTS

10.1. Internal

| Document # | Document |
|-------------|------------------------|
| GEN.POL.020 | Tenant Feedback Policy |

10.2. Legislation

- *Residential Tenancies Act 2010 (NSW)*

11. REVISION HISTORY

| Version | Date | CQI # | Lead author/ reviewer | Consultative panel | Significant changes |
|---------|------------|-------|--------------------------|-----------------------|---------------------|
| 1 | 11/04/2023 | #40 | Ari Soemardi | QA committee | New Policy |