

Rents and payments policy

Rent and other payments

Bank Deposits

All tenants will pay their rent into the specific bank account provided by NCCH.

Payments made by such method will not be subject to the issuing of a receipt by NCCH, however tenants will be provided with six-monthly statements showing the date of payments, amount paid, the relevant period covered by the payment and details of any arrears.

Where tenants are also making non-rent payments, e.g. water usage, a separate deposit must be lodged to that of the rent payment.

A separate deposit book, or agent identification number, will be provided to tenants to make non-rent payments.

In circumstances where the tenant has consolidated rent and non-rent payments in the one deposit, the total amount must be appropriated to the tenants' rental account.

Such consolidated deposits may only be transferred to a non-rent account where NCCH is in receipt of a clear agreement by the tenant of such an appropriation.

Office Payments

Tenants will be able to make rental payments at any registered office of NCCH however, only card payment facilities will be available. It is the preferred policy of NCCH that only initial payments, commencing a tenancy, be accepted at an office site.

Such payments will be subject to the issuing of a receipt showing such details of the payments as required by the Residential Tenancies Act 2010.

Where tenants are also making non-rent payments, e.g. water usage, a separate receipt must be issued.

Centrelink Rent Deduction Scheme (RDS)

Tenants who are eligible to use the RDS will complete the prescribed application form. If the rent of the tenant who pays their rent through RDS changes, it is the responsibility of the tenant to notify Centrelink of the change in rent.

Tenant Rental Accounts

Electronic ledger

NCCH will maintain individual and accessible electronic ledgers for all tenants showing:

- details of all rent payments;

- the period covered by each rental payment;
- the rent charged to the tenant and any variations to that rent.
- details of any rent owed

Transfers from rental accounts

Funds cannot be transferred from the rental account of a tenant to another account, e.g. a non-rent account, without the tenant's explicit agreement.

Tenants can use the **ACCOUNT TRANSFER FORM** to authorise the transfer of funds. Alternatively, verbal directions given by a tenant must be confirmed in writing to tenant.

Credits, Payments and Reimbursements to Tenants

Requests for Disbursement or Adjustment

Tenants are often entitled to, either by law or through existing NCCH policy, to obtain reimbursements, credits or payments from NCCH.

This includes:

- A refund of rental credit where the credit is more than the amount of rent required by NCCH to be in advance
- A refund of rental credit at the end of a tenancy
- A credit where any non-rent charges, e.g. water usage, tenant responsible maintenance, etc., have been reduced or waived
- In some qualified cases, reimbursement for personal expenditure by tenants on repairs or maintenance
- A credit approved on the basis of personal loss or extreme inconvenience due to NCCH error

These payments (or credits) can be made through adjustment of tenant's rental or non-rental account balance or by direct payment.

Regardless of the amount or reason, all credits or payments to tenants must be approved by NCCH within its agreed Schedule of Delegated Authorities.

SCHEDULE OF DELEGATIONS FROM THE GENERAL MANAGER TO STAFF.

Where a request is made by a tenant or where NCCH consider a credit is required, the prescribed form **TENANT REQUEST FOR ADJUSTMENT/DISBURSEMENT** must be completed. Any request and/or decision must be supported by the necessary evidence.

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In situations where the request for payment or a disbursement is being made by the tenant, NCCH may require that the tenant makes such a request in writing.

Tenants in Rental Credit

NCCH requires that tenants pay their rent two weeks in advance. Tenants are not encouraged to make rental payment arrangements that will result in their rental accounts being in further credit than required by the Act.

Rental and other arrears

NCCH funds a significant proportion of its operations, including maintenance of properties, from rent payments collected from tenants. Rental arrears can be a serious problem as they limit NCCH's ability to provide services.

Rental arrears can also be a serious problem for tenants as they may place their tenancy at risk and even result in eviction.

Arrears occur when:

- A payment is not received by the due date;
- A payment has been underpaid; or
- A tenant contribution increases which has been backdated.

If tenants have nominated to pay weekly, they are required to pay one week in advance. If they have nominated to pay fortnightly they are required to pay one fortnight in advance. This will provide sufficient funds on their account to cover the week(s) when they are not required to make a payment. As soon as a payment is missed or underpaid, the account is considered to be in rental arrears.

Tenants should not have a negative balance on their account at any time.

Confidentiality and Ethical Standards

The North Coast Community Housing Company (NCCH) aims to monitor rent and other payments regularly and respond promptly to rental and other tenant, to prevent tenant's incurring arrears.

Tenants will be provided with details of the NCCH debt management policy through the provision (upon tenancy sign-up) and through the ongoing availability of the **NCCH TENANT HANDBOOK**.

Any information regarding individual/household tenant rent payments, collection or arrears will not be divulged to any other party unless with the prior written consent of the tenant.

All correspondence sent to tenants regarding payment arrears will be in respectful language.

Debt management policy

The Centrelink Rent Deduction Scheme (RDS) is mandatory for all eligible new tenants and is fully utilised to assist tenants meet their tenancy obligations.

The NCCH debt management policies and procedures recognises that RDS provides tenants the maximum opportunity to establish an appropriate pattern of rental payments in an automated way, enhancing the sustainability of their tenancies.

Legal action as prescribed by the Act is initiated in circumstances where tenants with rental arrears fail to contact the NCCH or fail to meet their agreement to repay the debt.

The **NCCH DEBT MANAGEMENT PROCEDURES** aim to reduce and prevent further rental arrears in order to maximise the revenue available for housing assistance programs and to assist tenants to maintain their tenancy.

NCCH staff are required to develop strategies to identify those clients at risk of the non-payment of rent as early as possible in the rental arrears recovery process. Early identification of clients can ensure that support is provided to assist clients to meet their rental responsibilities and avoid legal proceedings.

The monitoring of tenant rental payments is considered a priority area of work by relevant NCCH staff.

Tenants will be treated respectfully when discussing rental arrears.

Debt Management Procedure

NCCH adopts an early intervention strategy for arrears management and follows the steps outlined **NCCH DEBT MANAGEMENT PROCEDURES**.

Repayment Arrangements

The standard form to be completed by clients for repayment of rent arrears is **REPAYMENT FORM**.

A tenant's verbal agreement to repay can be accepted, however such an agreement must be confirmed in writing by NCCH.

Appeals

A tenant can appeal a decision made by NCCH with respect to the dealing of their rental arrears, under the internal appeals policy. **COMPLAINTS AND APPEALS PROCEDURE**

Board of Directors

A tenant director of the Board who is in rent arrears can not take part in discussions or decisions concerning rent arrears. It is their responsibility to absent themselves from such discussions and decisions.

Tenant Support & Referral

NCCH acknowledges that many tenants may experience financial or other difficulties that may adversely affect their ability to pay rent. NCCH will attempt at all times to ensure tenants are kept informed of their rights under the Residential Tenancies Act.

Furthermore, NCCH will:

- make available the procedures regarding the collection of rent and the rent arrears collection policy to the tenants; and
- provide information to the tenant/s about support services available to them when action to collect rental arrears is undertaken.

The type of support to be offered may include:

- information on tenancy advice and advocacy services;
- information concerning financial counselling services; and/or
- information about other relevant support services (e.g. family support; refuges; counselling; translator services).

Accessible Information

Whenever NCCH is required to forward written information to a tenant regarding rent, and where it is deemed appropriate and feasible, NCCH will also forward a separate letter written in the first language of the tenant. Such a letter will explain the importance of the enclosed mail and will advise the tenant to seek clarification and/or advice from a relevant person or agency regarding the correspondence.

Use of Advocates

Tenant will be encouraged to have an advocate present including the Northern Rivers Tenants Advice and Advocacy Service NRTAAS, for any meetings to discuss rent, rent arrears and/or rent agreements and contracts, and where appropriate, will be assisted in doing so by NCCH.

Vacated debts

NCCH will proceed with action against tenants who leave NCCH tenancies with monies owing, or who incur end-of-tenancy debts.

Debts to be pursued by NCCH must be validated by an order of the NSW Civil and Administrative Tribunal (NCAT)

This action includes, but is not limited to:

- Seeking to make an arrangement with the tenant to repay the debt;

- Making an application to the NSW Civil and Administrative Tribunal for a relevant payment order from the former tenant
- Ensuring that information debt is accessible to other social housing providers, and ensuring that action is taken in relation to the debt, prior to the former tenant receiving further social housing assistance
- Denying the former tenant access to further assistance from NCCH until:
 - the debt is cleared in full; or
 - an acceptable arrangement for repayment has been made and the tenant has reduce that debt to less than \$500

INFORMATION	
Title	Rent and payments policy
Section	Housing Services
National Regulatory Code Evidence Guideline	Performance Outcome 1: Tenant and Housing Services
National Community Housing Standard	Standard 1.2 Establishing and maintaining tenancies
Last review	31 May 2014
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