

Water usage policy

This document is a 'policy' within the meaning of the NCCH Policy & Procedure Framework.

Purpose

As a community housing provider, North Coast Community Housing charges tenants for water usage in dwellings they lease from it.

The Policy details how those charges are calculated and the Ministerial Guidelines involved in the process.

Principles behind this Policy

This Policy is based on NCCH values.

Promoting NCCH values

Our dealings in privacy matters must act in a way which promotes NCCH's four key values:

1. Respect: We are a people centred organisation, respecting the diversity and different needs of the individuals we work with.
2. Social Responsibility: We support people with housing needs, striving for equality and fairness in housing outcomes.
3. Professionalism: We work with integrity to provide quality, innovative services and are accountable for our decisions and actions
4. Safety and Wellbeing: We are committed to a work environment that values health, safety and wellbeing

Scope of the Policy

This policy outlines the rules, methods and regulatory framework applying to water charges by NCCH.

These guidelines apply to all North Coast Community Housing properties.

North Coast Community Housing will:

- Charge tenants for water usage in accordance with the Residential Tenancies Act 2010 and the relevant Ministerial Guidelines for Water Charging on Community Housing.
- Charge tenants for water usage in a manner which is fair and consistent.
- Advise tenants of any change to these guidelines.

Legal requirements

S.139 of the Residential Tenancies Act states:

(1) Charges payable

A tenant under a social housing tenancy agreement must pay to the landlord any charges, determined in accordance with guidelines approved by the appropriate Minister, in respect of water usage by the tenant.

(2) Guidelines for payment of charges

The guidelines may provide for the determination of the charges by reference to any of the following:

- (a) actual usage or estimated usage,
 - (b) the income of the tenant,
 - (c) the rent payable by the tenant (whether with or without rent rebate).
- (3) The guidelines may include other matters, including a requirement that charges in respect of water usage be paid by the tenant in advance.
 - (4) The guidelines are to be made publicly available.
 - (5) A copy of the guidelines is to be provided, on request, to any tenant under a social housing tenancy agreement free of charge and to other persons either free of charge or on payment of reasonable copying charges.
 - (6) The guidelines may be amended or replaced from time to time.



Providing homes, Improving lives, Strengthening communities

The Ministerial Guidelines

The *Ministerial Guidelines for Water Charging on Community Housing* were released in December 2011, and are available from the FACS website dated July 2012.

These Guidelines apply to properties subject to a community housing agreement between Housing NSW and a community housing provider for the provision of social and/or affordable housing. The Guidelines cover both capital and leasehold properties.

The Guidelines apply to all tenancies managed under a social housing tenancy agreement, including affordable housing, unless the property is exempted from water usage charges.

A copy of the Guidelines can be obtained by:

- Contacting your local NCCH office
- Viewing the guidelines at <https://www.facs.nsw.gov.au/housing/community-housing-policies/water-charging-guidelines>

Properties with Separate Water Meters

North Coast Community Housing will charge tenants who live in properties with separate water meters for the actual water usage as per the invoice received from the Council. In accordance with the ministerial guidelines, a separate water meter must be readily accessible for reading by the water authority and generate an individual water account.

If a water meter is not accessible for reading by the Council and does not generate an individual water account, North Coast Community Housing will charge the tenants as if it is a shared meter dwelling.

North Coast Community Housing will calculate an estimated water use at the commencement of a tenancy and tenants will be required to pay this rate for water in advance on a weekly/fortnightly basis with their rent payments.

Water charges will be added to the tenants account each water billing cycle. Water charges will be calculated on a daily rate for tenants that have vacated a property during a billing period to ensure appropriate charges are recovered.

Properties with Shared Water Meters

North Coast Community Housing will use the number of occupants' calculation for charging tenants for water usage in properties with shared water meters where North Coast Community Housing pays a water usage account. Note that prior to apportionment North Coast Community Housing will pay the first 20% of the account for common and shared use.

The number of occupants' calculation calculates all occupants within a share meter facility and apportion costs respectively.

Example

Number 1, 2, 3 and 4 Smith Street all share the same water meter, number of occupants for each property are:

- 1 Smith Street - 1 Occupant
- 2 Smith Street - 2 Occupants
- 3 Smith Street - 3 Occupants
- 4 Smith Street - 4 Occupants

Total of occupants on the shared water meter equals 10. The water charge for the quarter for this shared water meter is \$1,000 equating to \$100 per occupant. Therefore the distribution in our example is:

- 1 Smith Street - 1 Occupant - Water Charge \$100
- 2 Smith Street - 2 Occupants - Water Charge \$200
- 3 Smith Street - 3 Occupants - Water Charge \$300
- 4 Smith Street - 4 Occupants - Water Charge \$400

This method ensures the charges are apportioned fairly. Tenants will initially be charged a daily rate based on the previous 12 months' usage. This will be reconciled every 6 months so that accurate daily rate charging will be effective.

Daily rates will increase or decrease based on the actual water charge. Listed below is for illustrative purposes only.

Example

NCCH acknowledges the Bundjalung, Arakwal, Gumbaynggir and Yaegl peoples who are the traditional custodians of the land that comprises the Northern Rivers.

Water usage charges (Oct21)

Tenant A is living in a property that has a shared meter. The actual water usage charges for the previous 12 months equate to \$365. Therefore, the Tenant pays \$1 a day for water usage.

- After 6 months the accounts are reconciled and the actual cost is \$200.
- The Tenant has been paying \$1 a day for 6 months equalling \$182
- The outstanding water charge is \$18.
- This can be charged direct to the Tenant or the Tenants daily amount can be increased slightly to account for the deficit.

Common Area Water Usage

North Coast Community Housing will pay the water usage for all common areas. In properties with a shared water meter, North Coast Community Housing will ensure that 20% of the total water usage bill is allocated against the common area usage.

Shared Usage Facilities

Some properties may have shared facilities such as laundries. For these facilities, each tenant will be apportioned an equal share of the water use charges based on the Shared Water Meter calculation above.

Payment of Water Usage Charges

Any payments for water must be specified as water payments. If a water charge remains unpaid for more than 21 days from date it is charged to the tenants account, North Coast Community Housing may take action through the NSW Civil and Administrative Tribunal (NCAT) to recover the unpaid water usage charges.

Allowances

North Coast Community Housing may consider granting allowances to tenants with separate water meters if:

- The tenant or a household member is on a home based dialysis.
- The tenant of a household member has a medical condition or disability that requires them to use significantly more water than usual.

In order to be considered for a water usage allowance, tenants must complete the Water Allowance Application Form, the tenant must also provide documented medical evidence to support their application. Allowances will be credited to the tenants account at the end of each quarterly billing cycle.

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

Transfers and Terminations

Tenants that transfer to another North Coast Community Housing property or terminate their tenancy and move away from North Coast Community Housing will be charged for water usage up to the end of the Residential Tenancy Agreement.

Tank water

For premises that are not connected to main water supply, water is generally delivered and stored in tanks.

NCCH will ensure that the tank has water in it at the start of each new tenancy. The tenant is then responsible for refilling the tank, as needed. This includes the costs of water delivery.

NCCH is responsible for the tank's upkeep.

Hardship

Hardship refers to a situation where a person is unable, reasonably, because of illness, unemployment (recent) or other reasonable cause, to pay for their rent, water and other living expenses in full when they become due, this may be short term or long term.

Financial Assistance and a payment plan may be available to tenants who are suffering hardship.

Appeals and Complaints

Tenants can appeal decisions relating to Water Charging in Community Housing. In particular, the following appeal mechanisms are available:

- Appeal to North Coast Community Housing via the Complaints and Appeals process.

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Water usage charges (Oct21)

- Appeal to the Housing Appeals Committee (HAC) for any issue related to the application of the water charging method on properties with shared meters.
- Appeal to the Housing Appeals Committee regarding decisions to grant a water usage allowance.

The Housing Appeals Committee will not hear appeals relating to the actual water usage charges for tenants in properties with separate water meters.

Concerns about the fairness and transparency of these guidelines in relation to compliance with the Regulatory Code can be referred to the NSW Office of the Registrar of Community Housing. <http://www.rch.nsw.gov.au/>

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Version History			
Version #	Summary of changes made	Date Approved	Review Date
V1.0	Initial draft	2014	
V2.0	Redraft	Dec-18	Jan-20
V2.1	Update – policy format	31 Oct-20	31 Oct-21
V2.2	Format; Update - no changes	Oct21	Oct23



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