

POLICY 1.4 APPEALS

OVERVIEW

This policy outlines how ILV (we, our, us) deals with appeals against decisions it makes.

This policy applies to all ILV residents and tenancies managed by ILV

WORD LIST

Appeal: A request to review a decision.

Community Housing Tenants: Tenant who is living in a property managed by a Community Housing Provider. Residents in ILV properties are considered to be community housing tenants.

Tenant: Person who signed the Tenancy Agreement with ILV.

SDA Resident: NDIS Participant who has Specialist Disability Accommodation (SDA) in their plan and has signed a Tenancy Agreement to live in an SDA property (or an authorised person has signed on their behalf). They are the tenant and ILV is the Landlord.

POLICY

An appeal is when you ask us to review a decision we made about your housing.

We will look at the decision we made and consider if we should change it.

This policy contains information on:

- Who can appeal
- What decisions you can appeal
- Appeal process
- What you can do if you are not happy with the outcome of your appeal.

WHO CAN APPEAL?

You can ask us to review a decision (appeal) if you have applied for housing with us, you currently live in one of our properties or you previously lived in one of our properties

and

you disagree with a decision we made.

You may appeal if:

- The decision affects your application for housing or something relating to your tenancy
- You don't agree with the decision we made because it wasn't based on
 - Our policies or relevant guidelines
 - The rules of the NDIS (SDA Residents)

Policy No: 1.4	Name: Appeals		
Approved by: Board	Version: 1.4	Review Date: Sep 2023	Page 1
Date Approved: 18 Dec 20			

- You think the decision was unfair
- You think you did not get a fair hearing.

WHAT DECISIONS CAN YOU APPEAL?

You can appeal decisions about:

- Your eligibility for housing
- The properties we offer to you
- Your application to transfer to another property
- How we calculate your rent
- Your requests to alter or modify properties
- Whether someone else can stay in the property after the person who signed the tenancy agreement moves out (succession of tenancy)
- Rent and any other tenancy charges e.g. Board (SDA residents), water/gas/electricity charges

APPEAL PROCESS

STEP IN APPEAL PROCESS	DESCRIPTION
The appeal	<p>Making the appeal</p> <p>You should appeal as soon as possible after we make a decision.</p> <p>We will generally accept appeals up to 3 months from the time of the decision.</p> <p>Talk to us before making a formal appeal so that we can see if we can resolve the issue quickly.</p> <p>You can make a formal appeal by:</p> <ul style="list-style-type: none"> • By phone (speaking with an ILV staff member) 1300 951587 • By email info@ILV.org.au • By writing to us PO Box 407 Gladesville NSW 1675
	<p>Acknowledgement of appeal</p> <p>We will confirm we received your appeal (within 3 days).</p>
	<p>Log the appeal</p> <p>We will record the appeal.</p>
<p>Responding to the appeal</p> <p>Within 20 days</p>	<p>Someone not involved in the original decision will review the decision. This may be another staff member, the CEO, a Board Director or someone outside ILV.</p> <p>They will review the information used to make the original decision and any new information. They may contact you for more information.</p> <p>The appeal will look at the decision again and take into account the information provided and any relevant policies, guidelines, regulations and/or legislation.</p> <p>We will aim to let you know the outcome of your appeal within 20 working days.</p> <p>We will tell you if we think it might take longer.</p>

Policy No: 1.4	Name: Appeals		
Approved by: Board	Version: 1.4	Review Date: Sep 2023	Page 2
Date Approved: 18 Dec 20			

Outcome	<p>We will write to you and tell you the outcome of your appeal including the reason for our decision.</p> <p>We will tell you about what you can do if you are still not happy with the decision.</p>
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NOT SATISFIED WITH THE OUTCOME OF THE APPEAL?

You may be able to ask for a further review by another organisation (someone other than ILV).

REVIEW	WHO	DESCRIPTION
<p>State based Housing Appeals Committees (where available)</p> <p>NSW</p> <p>Housing Appeals Committee (HAC)</p>	All tenants in ILV Properties	<p>Reviews decisions for community housing tenants.</p> <p>Decisions they will review may include:</p> <ul style="list-style-type: none"> ● Succession of tenancy ● Offers of a property ● Transfers ● Rent charges/rental subsidy ● Modifications ● Absence from a property ● Length of lease ● Tenant charges ● Anti-social behaviour ● Water charges. <p>NSW Housing Appeals Committee</p> <p>Phone: 1800 629 794</p> <p>Email: hac@facs.nsw.gov.au</p> <p>Website: www.hac.nsw.gov.au</p>
<p>NDIS Quality and Safeguards Commission (NDIS Commission)</p>	SDA Residents	<p>The NDIS Quality and Safeguards Commission is an independent agency that can take complaints from NDIS participants about:</p> <ul style="list-style-type: none"> ● How we provide services or supports ● The standard of our services and supports ● How we managed a complaint about services or supports. <p>NDIS Quality and Safeguards Commission</p> <p>Phone: 1800 035544</p> <p>Website: Ndiscommission.gov.au</p>

RELATED POLICIES, LEGISLATION OR OTHER RESOURCES

Other Organisations

- Housing Appeals Committee hac.nsw.gov.au

Policy No: 1.4	Name: Appeals		
Approved by: Board	Version: 1.4	Review Date: Sep 2023	Page 3
Date Approved: 18 Dec 20			



Independent Living Villages Ltd And Controlled Entities (ILV)



- Appeal Form Social Housing Clients
- NDIS Quality and Safeguards Commission www.ndiscommission.gov.au

Policy No: 1.4	Name: Appeals		
Approved by: Board	Version: 1.4	Review Date: Sep 2023	Page 4
Date Approved: 18 Dec 20			