

### POLICY 1.2 RENT

#### OVERVIEW

This policy explains how ILV (we, our, us) calculates and reviews rents and manages rental fraud.

This policy applies to all ILV properties.

#### WORD LIST

**Basic rate of the Disability Support Pension:** The amount under the Social Security Act 1991 that is the maximum basic rate for a person who is not under 21 and not a member of a couple.

**Base coupled rate of the Disability Support Pension:** The amount under the *Social Security Act 1991* that is the maximum basic rate for a person who is not under 21 and is a member of a couple.

**Market rent** is based on how much it would cost to rent the property privately.

**Property:** Disability housing owned, leased, rented and/or operated by 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.

**SDA Property:** A property enrolled as Specialist Disability Accommodation (SDA) with the NDIA.

#### POLICY

All residents in ILV properties pay rent. The rent varies depending on the type of tenancy.



This policy provides information on:

- Rent
  - Specialist Disability Accommodation
    - Reasonable Rent Contribution (Rent paid by a SDA Resident)
    - Rent paid by partner, family or friends sharing with a SDA Resident
    - If you choose to live in a different type of SDA
  - Non-SDA Residents
    - MTA, STA
- Proof of income
- Rent reviews
- How and when to pay rent
- Rent statements
- Rent arrears
- Rental Fraud
- Rent when you are not at the property
- Unapproved occupants
- Tenancy management
- How you can appeal our decision about rent.

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## SPECIALIST DISABILITY ACCOMMODATION (SDA)

SDA is funded by:

<p><b>NDIS</b></p>	<p><b>SDA Payment</b></p>  <p>Amount for SDA is included in your NDIS plan. Amount allocated based on the housing the NDIS thinks you need</p>	<p><b>ILV</b></p> <p>Funds paid to ILV are based on where you live e.g. type of property, location. The rate is set in the NDIS SDA Price Guide</p>
<p><b>YOU</b></p>	<p><b>Reasonable Rent Contribution</b></p>  <p>You pay Reasonable Rent Contribution (Rent)</p>	<p><b>ILV</b></p> <p>The rent is set by the NDIS</p>

### RENT YOU PAY - SDA RESIDENT

You pay the Reasonable Rent Contribution (Rent). This is set by the NDIS.

*If you receive a Disability Support Pension*

The rent is:

- 25% of the basic rate of the Disability Support Pension (or the DSP received if under 21 years)
- Plus 25% of any pension supplement you receive
- Plus 25% of any youth disability supplement you receive
- Plus 100% of any Commonwealth Rent Assistance you receive.

*If you do not receive a Disability Support Pension*

- Equivalent of 25% of the basic rate of the Disability Support Pension
- Plus 100% of any Commonwealth Rent Assistance you receive.

### RENT - PARTNER, FAMILY OR FRIEND SHARING WITH SDA RESIDENT

You can choose to live with ...

- your partner
- family members
- friends

... if it doesn't present a risk to your health or safety.

You may want to share your bedroom. The NDIS may ask you some questions to make sure you are happy to share your bedroom and that it is safe for you.

Anyone who shares the SDA property with you also pays rent.

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We calculate the rent separately for you and others living with you.

**YOU** pay the Reasonable Rent Contribution (as outlined above).

The rent for other people will vary.

We use the following as a guide to calculate the rent for other people living with you. We will negotiate the rent they pay with them.

The total rent for the property may be close to what it would cost to rent a similar home on the rental market.

WHO	INDICATIVE RENT
<b>You – SDA Resident (NDIS Participant with SDA in their plan)</b>	<ul style="list-style-type: none"> <li>Reasonable Rent Contribution</li> </ul>
<b>Partner, family, friend of SDA Resident who is also NDIS Participant with SDA in their plan</b>	<ul style="list-style-type: none"> <li>Reasonable Rent Contribution</li> </ul>
<b>Partner, family member, friend of SDA Resident aged over 18</b>  <b>Sharing a bedroom</b>	<ul style="list-style-type: none"> <li>Rent as per NDIS Guidelines</li> </ul>
<b>Partner, family, friend aged over 18 who receives a Commonwealth pension</b>  <b>Not sharing a bedroom</b>	<ul style="list-style-type: none"> <li>25% of base rate of the pension received plus</li> <li>25% of any Pension Supplement received</li> <li>Plus 100% of any Commonwealth Rent Assistance received</li> </ul>
<b>Partner, family, friend aged over 18 who earns an income</b>  <b>Not sharing a bedroom</b>	<p>We will negotiate the rent. The rent will be: Market rent for a room in a property in that location or Up to 25% of income.</p> <p>In setting the rent we will consider if market rent/25% of income:</p> <ul style="list-style-type: none"> <li>Would create hardship</li> <li>Would result in the rent paid by the household (SDA Resident and partner/family/friend) being greater than the market rent i.e. the rent you would pay if you rented on the open market.</li> </ul>
<b>Partner, family member or friend aged under 18 years</b>	NIL

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## IF YOU WANT TO LIVE IN A DIFFERENT TYPE OF SDA TO WHAT'S IN YOUR PLAN

You can choose to live in any SDA property which meets the type, category and location noted in your plan.

If you want to live in a different SDA type, category or location to what's approved in your plan, you need to ask for a review of your plan so these aspects of your SDA supports can be re-evaluated.

You may be able to live in more expensive SDA than what's in your plan. But you need to talk about this with the NDIS and us. You might need to pay more rent out of your own pocket to be able to live there.

If you agree to pay more rent (voluntary discretionary payments) to live in more expensive SDA, the NDIS will note this in your plan in case you need to move in the future.

We will follow the NDIS Guidelines if this happens.

## MEDIUM TERM ACCOMMODATION (MTA) AND SHORT-TERM ACCOMMODATION (STA)

The cost of MTA and STA is as outlined in the NDIS Price Guide.

## PROOF OF INCOME

We will ask you to provide proof of income if you are:

- An SDA Resident receiving Centrelink payments (we will ask for information on any pension, pension supplement, youth allowance and/or Commonwealth Rent Assistance you receive)
- Sharing an SDA property with an SDA Resident (partner, family member, friend)

TYPE OF INCOME	DOCUMENTS WE NEED
Income from Centrelink or Veteran's Affairs	<ul style="list-style-type: none"> <li>• Income statement from Centrelink or Department of Veteran's Affairs <b>OR</b></li> <li>• You can give us access to this information via the Income Confirmation Scheme (we will ask you to sign an authority form).</li> </ul>
Wages/Salaries	<ul style="list-style-type: none"> <li>• Pay slips, a letter or statement from your employer showing the gross wage, tax, deductions and pay period. Documents must show the income for a minimum period of 3 weeks.</li> </ul>
Self Employed	Profit and loss statement completed by an accountant or a taxation return.
Income from an overseas government, WorkCover or an insurance company/agency	Letter or statement from an overseas government, WorkCover or an insurance company.
Income from investments	Letter or statement from a finance or investment company.
Other	Letter from another company or agency not listed above that pays you money, showing the type and amount of money you receive.

The documents you provide must be current (no older than one month or no older than 13 months for tax returns).

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### RENT REVIEWS AND RENT CHANGES

#### REGULAR RENT REVIEWS

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We will review your rent at least once each year.

We will write and tell you of any changes to rent following the review.

The rent may change:

- If there is a change to any Centrelink payment/s
- If your income changes (partner, family, friend of SDA Resident)

We will give you 60 days' notice (in writing) of any change in rent.

#### CHANGES IN INCOME – PEOPLE SHARING WITH SDA RESIDENT (PARTNER, FAMILY, FRIEND)

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You need to tell us if your income changes (goes up or down) within 21 days.

We will re-calculate your rent and adjust the rent from the date your income changed.

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### HOW AND WHEN TO PAY RENT

You pay two weeks rent at the start of your tenancy (rent in advance) and then pay fortnightly.

You can pay your rent by:

- Direct deposit by direct debit transfers to the ILV bank account
- Centrepay deduction scheme.

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### RENT STATEMENTS

You can ask for a rent statement at any time and we will provide it within 7 days.

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### RENT ARREARS

We will regularly review your rent payments and take action if you are behind in your payments (in arrears).

**More than 14 days in rent arrears:** We will send you a letter for non-payment of rent, giving you 7 days to pay outstanding rent or make contact to organise a repayment plan.

**More than 14 days and no response to letter:** We can apply to the Tenancy Tribunal for an order to enter into a formal repayment arrangement.

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### RENT WHEN YOU ARE NOT AT THE PROPERTY

You will need to continue to pay rent even if you are away from your property.

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### RENTAL FRAUD

Rental fraud happens when you or anyone living in your household deliberately gives false, incomplete or misleading statements about their income.

We will investigate if we think you or others have committed rental fraud.

You have the right to:

- Be told about any information/evidence we have and why we suspect rental fraud
- Respond to the allegation/s
- Be treated fairly and have us follow proper procedures
- Have a support person present at any interview
- Have an interpreter if required
- Get a record of any interview (if you ask for it) and be able to read and check it is correct

We may contact other people, where allowed by law, to ask them about possible rental fraud. For example:

- Your employer or alleged employer
- Supply authorities, such as gas, electricity, water and telephone providers
- Real estate agents
- Centrelink
- Banking authorities
- Any other likely sources of relevant information

If we prove rental fraud, we may:

- Take action to terminate the tenancy
- Refer the matter to NSW Police.

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### UNAPPROVED OCCUPANTS

You need to get our approval for anyone else living in the property.

If we find that there are other people living with you (who have not been approved), we will do a rent review immediately.

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### TENANCY MANAGEMENT

We may use another organisation to undertake some aspects of tenancy management such as lease sign up and rent collection.

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### IF YOU ARE NOT HAPPY WITH OUR DECISION ABOUT YOUR RENT

If you are not happy with the decision/s we make about your rent, you can:

- Speak to our staff about why we made that decision
- Ask for a review of the decision ( Refer to ILV Policy 1.4 Appeals)

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### RELATED POLICIES, LEGISLATION OR OTHER RESOURCES

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### Legislation and Guidelines

- *NDIS SDA Operational Guidelines* June 2020
- *Specialist Disability Accommodation Registration and Dwelling Enrolment* ([www.ndis.gov.au](http://www.ndis.gov.au))
- *National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Rules 2018* ([www.ndis.org.au](http://www.ndis.org.au))
- *National Disability Insurance Scheme Specialist Disability Accommodation (SDA) Price Guide (2020-21)*. Note price guide is updated regularly.
- Applicable tenancy legislation
  - Residential Tenancy Act 2010 (NSW)
  - Residential Tenancies Regulation 2019 (NSW)

### Policies

- ILV Policy 1.4 Appeals

### Resources

- *Specialist Disability Accommodation (SDA) Payments A Guide for NDIS Participants and Providers* Summer Foundation July 2017
- Tenanhelp [Tenanhelp.com.au](http://Tenanhelp.com.au) (State specific information for tenants)
- Disability Housing Information line 1800 843 929 or email [housinginfo@pwd.org.au](mailto:housinginfo@pwd.org.au) Information for people living in SDA properties and their supporters

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