

Pensioner Housing Policy

Policy Details

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Endorsed by	Chief Executive Officer
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Policy Owner	Manager Economic and Community Development
Contact Officer	Cherie Schafer
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Supporting documentation

Legislation	<ul style="list-style-type: none"> • <i>Local Government Act 2009</i> • <i>Local Government Regulation 2012</i> • <i>Residential Tenancies and Rooming Accommodation Act 2008</i>
Policies	<ul style="list-style-type: none"> • Nil
Delegations	<ul style="list-style-type: none"> • Nil
Forms	<ul style="list-style-type: none"> • Nil
Supporting Documents	<ul style="list-style-type: none"> • Residential Tenancy Agreements

Version History:

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4	9/12/2015	Council Resolution 1215/012	
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Intent

The purpose of this policy is to provide clear guidelines on eligibility for and management of pensioner housing.

Scope

This policy applies to all pensioner housing owned or managed by Council.

Policy Statement

Although there is no legislative requirement for Council to provide pensioner housing, Council recognises and is committed to providing this essential service to the community. This policy provides the guidelines by which Council will consider applicants for housing and the general requirements expected of approved tenants.

Eligibility Criteria

In determining eligibility for applicants to obtain pensioner housing, Council will generally give consideration to the following criteria:

- The provision of pensioner housing will generally be limited to aged pensioners, who are in receipt of either full or part age pension.
- Other persons approved by Council to occupy pensioner housing must not be deriving an income that is greater than the full aged pension.
- Applicants must be a Carpentaria Shire resident and have been so continuously for at least the last five (5) years. Evidence to substantiate residency must be produced to the satisfaction of Council.
- People applying for pensioner housing must list in their application all assets owned by them, either solely or in part, together with the current monetary value of these assets. Council will at its absolute discretion consider the value and type of assets when deciding eligibility. Council also reserves the right to undertake all reasonable steps to validate the information supplied, if it deems that necessary.
- Any person who owns their own home, in the Shire or elsewhere, is ineligible for pensioner housing.
- All applicants must state their current living arrangements when applying for pensioner housing. Council will at its absolute discretion consider the suitability of current living arrangements when deciding eligibility.
- All applicants must provide proof of identity, to the satisfaction of Council, when applying for pensioner housing.
- All applicants must prove to Council's satisfaction that they have the ability to sustain a successful tenancy and Council will consider factors including but not limited to:
 - Capacity to pay rent in accordance with the terms of this policy;
 - Ability to adequately look after property and retain it in a neat and tidy condition;
 - Ability to live independently (with or without support);
 - Commitment to reside harmoniously with neighbours and other residents in close proximity;

- Reside in the property on an ongoing basis.
- All applicants and prospective tenants are subject to reference checks prior to the allocation of pensioner housing.
- Persons approved for pensioner housing will generally not have dependents living with them. Council may at its discretion approve living arrangements with dependents however any request must be submitted in writing and in advance to enable Council reasonable time to consider request prior to dependents taking up residency.
- Successful applicants may have their spouse, partner or carer reside with them however all such persons must be listed in their application form for housing.

Notwithstanding the above clauses, Council retains the right to provide special dispensation in relation to eligibility criteria. Special dispensation may only be granted by resolution of Council.

Council may also, by resolution, approve other persons to occupy Council's pensioner housing on a short, medium or long term basis.

Rent

It is Council's intention to provide affordable housing for aged pensioners with reasonable rent and wherever possible these rents will be at a level below current market rent.

Rent will be reviewed by Council annually and the fortnightly rental amount will be adopted by Council at its annual budget to be effective for that financial year. Rent is to be paid on a fortnightly in advance basis.

In line with standard residential tenancy agreements, a bond, the equivalent of 4 weeks rent, will be due and payable at the commencement of the tenancy. Regardless of any rent increases during the life of the tenancy, the bond will not vary from the amount paid at the commencement of the tenancy. This bond will be refundable at the expiration of the tenancy subject to the satisfactory condition of the premises.

Allocations of Housing and Vacancies

Pensioner housing will be allocated by resolution of Council.

Council may delegate the power to a committee of Council to make recommendations on the allocation of housing to Council.

To avoid any doubt, housing is not considered vacant or available for allocation in circumstances where one joint tenant no longer resides in the property for whatever reason. The remaining joint tenant has the continued right to occupy the house.

Potential Residents

The contact details of any persons who have expressed an interest to Council for pensioner housing will be retained and those persons will be contacted when a vacancy arises.

However, this does not afford any priority to those persons as all vacancies will be publicly advertised and the most eligible applicant at that time will be offered the tenancy of the vacant housing. Regardless whether those applicants have previously approached Council or not.

All applications for pensioner housing will be assessed on the eligibility criteria established in this policy.

General Tenancy Obligations

As a managed accommodation provider, Council has a statutory obligation to comply with all residential tenancy legislation and guidelines ensuring that its practices are always fair and reasonable. Should a circumstance or event arise, where Council has little or no experience, reference will be made to the Residential Tenancy Authority for guidance on the correct procedure to follow.

Simultaneously, all approved tenants for Council managed pensioner housing are required to respect and abide by the following general tenancy requirements.

- Tenants must comply with all relevant laws, including those related to water restrictions.
- Tenants must be in continuous occupation of pensioner housing unless Council approval is obtained for exceptional circumstances.
- Tenants must immediately notify Council in writing of any changes in circumstances that may affect their eligibility for pensioner housing.
- Tenants may modify the premises or add fixtures, such as television antennas or satellite dishes or small garden sheds, at their own cost with the prior written approval of Council. All works must be completed in a professional and workmanlike manner to the satisfaction of Council.
- The tenant is responsible for all charges for all utilities, including electricity, excess water, gas and telephone.
- Tenants are permitted to have pets in pensioner housing with the prior written approval of Council.
- Council may require a tenant to remove a pet from pensioner housing at Council's absolute discretion. Reasons for the requirement to remove a pet may include that the pet is causing a nuisance, is not being kept to acceptable standards, or is causing fear or damage to neighbouring tenants or their property.
- No smoking is permitted by any person inside pensioner housing. The tenant will be responsible for the costs of cleaning where smoking has occurred inside premises.
- Any keys or locks damaged, lost, misplaced or stolen will be replaced by Council at the tenant's cost. The cost will be evidenced by a certificate signed by the Chief Executive Officer and is recoverable as a debt.
- All housing must be maintained in a neat and presentable manner and generally Council will undertake property inspections on a three monthly basis.
- Council will undertake reasonable maintenance in yards on an annual basis.

Adopted by Council 17/06/2020 by Resolution 0620/022



Mark Crawley
Chief Executive Officer