

Eligibility for Affordable Housing Policy - Number 101

Edited August 2023

1. Purpose

This policy outlines eligibility and application requirements for affordable housing options managed by Pacific Community Housing.

2. Scope

This policy applies to all assets managed by Pacific Community Housing.

3. Principles

Pacific Community Housing is committed to providing excellent services in supplying affordable housing to people who earn low to moderate incomes. This policy outlines the eligibility criteria for people wishing to apply for affordable housing through Pacific Community Housing. It is intended to:

- Give clear guidelines on how Pacific Community Housing allocates properties to applicants.
- Ensure fair, transparent and impartial allocations of rental properties.
- Provide assistance to people who are 'key workers' in an area where Pacific Community Housing has available housing assets.
- Bring dignity to those who are most vulnerable by offering financially affordable dwellings so they can afford other basic living costs such as food, clothing, transport, medical care and education.

4. Eligibility Requirements

To be eligible for Affordable Housing, a prospective tenant must:

- Establish their identity.
- Generally, be 18 years of age or older.
- Be a citizen or have permanent residency in Australia.
- Be a resident in New South Wales (NSW).
- Meet income limits set in accordance with the NSW Ministerial Affordable Housing Guidelines <https://www.facs.nsw.gov.au/download?file=843446>
- Be able to sustain a successful tenancy without support or with appropriate support in place.
- Clear any former debts you may have with other social housing providers (if applicable).

Pacific Community Housing will also consider other factors when assessing eligibility. For example:

- **Housing Need:** Whether the prospective tenant is in housing stress whose housing need cannot be met in the short to medium term, those with the potential to transition into home ownership in the medium term and/or social housing applicants/tenant who are seeking another choice of housing more suited to their needs.
- **Private Rental Market:** Whether the prospective tenant would be able to secure suitable or adequate housing in the private rental market.
- **Owning Assets:** Whether the prospective tenant own any assets (e.g. property) that could be used to solve their housing need.
- **Key Worker Eligibility:** Some properties (usually owned by a local council) are only made available for 'key workers' who are permanently employed within the local government area. These include people working in health services, childcare, education, emergency services, public transport, etc.

5. Financial Requirements

In addition to the eligibility requirements, the gross household income must fall within one of the following bands:

National Rental Affordability Scheme (2023 - 2024 year)

Household composition	Initial income limit	Existing tenant income limit*
One adult	\$58,905	\$73,631
Two adults	\$81,441	\$101,801
Three adults	\$103,977	\$129,971
Four adults	\$126,513	\$158,141
Sole parent with one child	\$81,498	\$101,873
Sole parent with two children	\$101,039	\$126,299
Sole parent with three children	\$120,580	\$150,725
Couple with one child	\$100,982	\$126,228
Couple with two children	\$120,523	\$150,654
Couple with three children	\$140,064	\$175,080

*This column shows figures which are 25 per cent more than the initial household income limits. If the combined gross household income of existing tenants exceeds the initial income limit by 25 per cent or more (i.e. is at or is more than the existing tenant income limit) in two consecutive eligibility years, the tenants will cease to be eligible tenants

6. Former Tenants Eligibility for Affordable Housing

Former Pacific Community Housing tenants who left their property without debt, left the property in a satisfactory condition and who meet the above eligibility criteria are allowed to reapply for housing. If they are not eligible for tenancy reinstatement as per the Transfer Policy, then they will be assessed the same as a general applicant.

Any former tenant who owes a debt to Pacific Community Housing will be eligible to go onto the waiting list but will not receive an offer for housing until the debt is cleared, or they have made regular repayments for 6 continuous months.

Any tenant who had a poor tenancy history with either Pacific Community Housing, another Housing Provider, a private landlord, or who was evicted cannot be considered to go on the waiting list unless they can demonstrate to the satisfaction of Pacific Community Housing that they have adequate support in place, and they are now able to maintain a satisfactory tenancy.

7. Ongoing Eligibility

A review of ongoing eligibility will be conducted regularly. At each rent review an assessment will take place. However, if a tenant is on a fixed-term tenancy agreement and Pacific Community Housing remains the landlord, then the eligibility assessment will not be carried out earlier than six months before the end of the fixed term.

To remain in a Pacific Community Housing affordable dwelling, households must continue to meet all the criteria set out in section 4 and 5 of this policy. That is, households still need to meet general eligibility criteria, demonstrate an ongoing housing need and not have assets which could reasonably be expected to meet their housing need.

However, existing tenants are permitted to increase their incomes over time and earn up to 25% above the maximum eligibility income before they become ineligible.

The reason for this is to further assist households to achieve a higher standard of living and/or save in order to purchase a property for themselves to own and live in.

Pacific Community Housing in accordance with Section 85 of the Residential Tenancies Act 2010 may from time to time evict a tenant without cause, however in these circumstances all reasonable effort will be made by Pacific Community Housing to relocate the tenant into another affordable housing tenancy.

8. When a Tenant is No Longer Eligible

Where a tenant is found not to be eligible after a review of eligibility, Pacific Community Housing:

- Can use Section 143 of the Residential Tenancies Act 2010 to terminate the tenancy on the grounds that the tenant is no longer eligible to reside in the class of community housing to which the leasing agreement applies.
- Should assist the tenant in assess alternative housing options.
- Allow a tenant to be given up to twelve months to move to alternative accommodation, if possible.

A tenant may also give a termination notice to Pacific Community Housing without penalty under certain circumstances such as domestic violence in accordance with Section 105B rights for Domestic Violence Victims of the Residential Tenancies Act 2010.

9. Management Fee

In general, managing Affordable Housing involves:

- establishing and implementing rental policies
- determining household eligibility for affordable housing properties
- finding eligible tenants, managing applications and providing rental assessments
- collecting rent and maintaining properties
- reviewing annual and ongoing eligibility to ensure compliance with Affordable Housing schemes.

Pacific Community Housing will strive to set the management at such a level that is adequate for the operations of Pacific Community Housing regarding maintaining the rent affordable.

All Affordable Housing tenancy managers in NSW must comply with the Residential Tenancies Act 2010.

10. Legislative Framework and Related Policies

- Transfers – Policy 114
- State Environmental Planning Policy (Housing) 2021
- Residential Tenancies Act 2010
- [Community Housing Providers \(Adoption of National Law\) Act 2012](#)
- NSW Affordable Housing Ministerial Guidelines 2023 - 2024
<https://www.facs.nsw.gov.au/download?file=843446>