



---

## Rent and Rental Fraud

### Overview

This policy explains:

- How we work out and review rent.
- Our tenants' responsibilities.
- How we will meet our legal duties.
- What rental fraud is and how we will deal with rental fraud

### Scope

This policy applies to St George Community Housing and its subsidiaries (**we, our and us**).

This policy does not include Affordable Housing. Information about affordable housing rents is in our Affordable Housing policy.

### Our promise

We will:

- Be fair and clearly explain how rent is worked out.
- Meet our legal duties when working out and reviewing rent.

### Definitions

#### Market rent

Market rent is based on how much it would cost to rent the property privately. The rent we charge our tenants will not be higher than the market rent.

#### Tenant

The tenant is the person who signed the Residential Tenancy Agreement.

#### Household members

Household members are other people we have approved to live in the property.

#### Rental Fraud

Rental fraud is when a tenant:

- gives us false, incomplete or misleading information about their household income or assets, or
- doesn't tell us within the required timeframe if there is a change in circumstances which could impact their rent, or
- sublets their property or allows unauthorised occupants to live in their property (refer to our Occupancy policy for more information).

### How we work out market rent

Our Residential Tenancy Agreements show the market rent for the property. If the market rent changes, we will give tenants written notice of the change as required by law.

For properties that we own or manage, the market rent is based on the median market rent for that type and size of property in the area where the property is. We review market rents for these properties every year. We use information from the current Rent and Sales Report by the Department of Communities and Justice (DCJ) to work out the market rent. When the rent



amount in the report is higher than actual market rents, we will use current rents in that area for a similar type of housing to work out the market rent.

For properties that we rent from private landlords, the market rent is the rent we pay for the property. We will change the market rent for these properties when the rent we pay for the property changes.

### How we work out rent

We follow the rules in the NSW Community Housing Rent Policy to work out the rent amount. This is a policy requirement set by the NSW Government.

Tenants who cannot afford the market rent are offered a rent subsidy if their household income is below the household income limits set by the [Department of Communities and Justice \(DCJ\)](#) and they provide appropriate documents to support this. These limits are updated annually. If a household's income is more than the income limits, they will be charged the market rent for the property they live in.

The table below shows how we work out the rent subsidy:

<b>25-30%*</b> of income (before tax) for: the tenant, their spouse or live-in partner (regardless of their age), AND household members 21 years of age and over
<b>15%</b> of income (before tax) for all other household members aged 18-20 years.
<b>15%</b> of Family Tax Benefit A and B received by all household members
<b>100%</b> of Commonwealth Rent Assistance (CRA) that the household could receive

\* The percentage charged is worked out by comparing the household income to the household income limits set by [DCJ](#) and updated annually.

The rent will never be more than the market rent for the property.

Not all types of income are included when we work out rent subsidy. The NSW Community Housing Rent Policy sets the rules for the types of income that are included.

So that we can work out the rent amount, the tenant must provide [proof of income](#) for:

- themselves, their spouse or live-in partner, AND
- all members of the household aged 18 years and over

Generally, we do not offer joint tenancies. However, if we do have co-tenants (two tenants who are both listed on the same Residential Tenancy Agreement) we may assess their income together or separately, depending on the household circumstances.

### Commonwealth Rent Assistance (CRA)

The Australian Government provides this assistance for eligible households to assist with the cost of renting privately or from community housing providers.

We work out the amount of CRA that each household member should get based on how much rent they will pay and include that amount when we work out the rent. If they don't get the full amount that we think they could receive, we will ask them to give us a document from Centrelink which shows the amount of CRA that they are getting. Once we receive the document from Centrelink, we will review the rent amount and tell the tenant the outcome.



If tenants or household members are blind and receive the Disability Support Pension or Age Pension, Centrelink may decide that they will be financially worse off if they receive CRA because of the asset test used. In these circumstances, we will classify the tenant/household member as being ineligible for CRA so that they are not disadvantaged.

### Reviewing rent amounts

We review each tenant’s household income and rent charged at least every 6 months. This is in line with NSW Government policy requirements.

When we review the rent we charge, we will write to tenants and ask them to give us current proof of income for themselves, their spouse and every household member 18 years of age or over. We will give tenants a reasonable amount of time to provide the information that we need.

Tenants and household members who receive income through Centrelink can give us permission to confirm their income instead of providing these details.

The types of documents that we can accept as proof of income are listed in the [Proof of Income](#) section of this policy.

The new rent will start on the date written in our letter. If a tenant doesn’t give us their household income details by the due date, we may charge them market rent.

### When household income changes

Because we use the household income to work out how much rent to charge, tenants must tell us within 21 days when their household income changes or the people in the household change.

When we are told about changes, we will ask for proof of income for the household and review the rent amount within 14 days of getting the new income details. After we review the rent, we will tell the tenant their new rent amount and the date that their new rent amount will start. The table below explains when the new rent will start.

Rent review outcome		New rent start date
Rent increases	The tenant told us about the change within 21 days	The billing day after rent review is completed.
	The tenant didn’t tell us about the change within 21 days	The new rent will start on the date that the income changed.
Rent decreases	The tenant told us about the change within 21 days	The new rent will start on the date that the income changed.
	The tenant didn’t tell us about the change within 21 days	The billing day after rent review is completed.

The Head of Region can make decisions about rent start dates outside of this policy.

### Rental Fraud or Changes in Income

If a tenant has committed rental fraud or hasn’t told us about changes to their household income, we might backdate the rent to the date the income changed, cancel their rent subsidy and charge market rent. Refer to our Rental Fraud policy for more details about how we manage rental fraud.



---

## Other circumstances

### No statutory income or a reduced statutory income

A statutory income is an income received from Centrelink or another government agency (e.g. Department Veterans' Affairs).

There may be situations when a tenant or household member receives no statutory income or a reduced statutory income because:

1. have chosen not to apply for an income which they are eligible for or
2. are not eligible to receive a statutory income because:
  - They have gone overseas and have become ineligible for further payments for a specified period.
  - They receive a job seeker payment, have not sought work and have become ineligible for further payments for a specified period.
  - They have received a compensation or other lump sum payment that is less than the relevant statutory income, or Centrelink deems them to have sufficient resources and Centrelink expects them to use those resources for living expenses.
3. Have breached Centrelink requirements or are repaying a Centrelink debt.
4. Are New Zealand citizens who are in Australia on a non-protected Special Category Visa.

In these situations, we will charge the person for all statutory income which they would otherwise receive (including CRA and family tax benefits if applicable).

Where a tenant or household member cannot get a statutory income, they must give us relevant evidence which shows that they are not able to do so. If a person:

- has no income,
- is not able to get an income from Centrelink, and
- has gone through all possible appeal options with Centrelink,

we will charge \$5 a week rent for that person when while we are working out the appropriate rent amount. If other people are living in the household, we will still use their income to work out the rent.

### Casual or seasonal wages

If a tenant or household member's income changes frequently because they do casual or seasonal work, we will use their average income from the past 3-6 months or their income from their last tax return when we are working out their rent.

### Overtime payments

We will include overtime payments as income when we are working out rent.

### Self employed

If a tenant or household member is self-employed, we will ask them to give us their most recent tax return or a profit and loss statement from an accountant. We follow the rules set out in the NSW Community Housing Rent Policy to work out their income. If their income is less than the standard rate of Job Seeker, we will use the current rate for Job Seeker to work out their rent subsidy.

### Rent while tenants/household members are away

Tenants and household members must pay their rent while they are away from the property.



Housing is a limited resource. If tenants are going to be away from their property for long extended periods, we will ask them to voluntarily give up their tenancy and vacate the property, so it can be allocated to another person in need of housing assistance. Refer to our Absence from Property Policy for more details.

In some situations, a tenant can ask us to reduce the rent that we charge them while they are away from their property for short periods. If a tenant or household member is approved for reduced rent, we will charge that person \$5 per week rent when we calculate the household rent. If other household members, we will still use their income to work out their share of the household rent. We will only reduce rent in the following situations:

Situation	Details
<p>The tenant or household member is going to be away from their property, and will be paying for other accommodation, because they are going into:</p> <ul style="list-style-type: none"> <li>• hospital for long term care,</li> <li>• a nursing home,</li> <li>• rehabilitation facility,</li> <li>• respite care,</li> <li>• a refuge or other accommodation because they are at risk or escaping domestic violence</li> </ul>	<p>We will charge that person \$5 per week rent if they need to pay costs at the place where they are staying. They will need to show us evidence that they have to pay costs at the place where they are staying.</p> <p>The reduced rent can be approved for up to 12 weeks. After the 12 weeks, we will look at the person’s situation and decide whether to cancel or extend the rent reduction.</p>
<p>The person (a tenant or household member) is going into prison and the reason they are going to prison is not related to an offence which is a breach of the tenancy agreement</p>	<p>We will charge that person \$5 per week rent.</p> <p>The reduced rent can be approved for up to 26 weeks if the reason for imprisonment is not related to a breach of tenancy.</p> <p>If a prison term is expected to be longer than 26 weeks, and the tenant is a sole person household, the tenant will be required to give up their tenancy and arrange to vacate the property, so it can be allocated to another person in need of housing assistance. If the tenancy is not relinquished, once the approved period ends, the rent amount the person paid before the rent reduction will apply.</p> <p>If a prison term is expected to be longer than 26 weeks, and there are other authorised adult household members, an authorised household member may apply for succession of the tenancy. Refer to our Succession of Tenancy Policy for more information.</p> <p>For transitional tenancies, where the maximum time a person can live in a property is generally limited under</p>



	<p>program guidelines, we will only approve a rent reduction for up to 12 weeks.</p> <p>Rent reduction/s, due to imprisonment, will be capped at a maximum of 26 weeks, during the customers tenure with us.</p>
--	--

We will not reduce rent when the tenant/household members are away for other reasons such as holidays or visiting family or helping with immigration matters in their home country.

Rent reductions can be approved by a Lead. Leads or the Head of Region, can make decisions about rent reductions outside of this policy.

The tenant/household member must give us written proof evidence to support their request for a rent reduction. This could include proof of where they will be staying and how much they will pay in accommodation costs or how long they will be in prison.

### Start Work Bonus

The Start Work Bonus helps tenants and household members who are starting work or re-starting work after a break.

If a tenant or household member is approved for the Start Work Bonus, it means that their new income from working will not be included in their rent assessment for 26 weeks.

A tenant or household member will be approved for the Start Work Bonus if:

- The tenant tells us about themselves or a household member starting work within 21 days of starting work.
- The tenant provides current proof of income for all members of the household within 21 days of starting work.
- The household is currently paying rent subsidy and the person applying for the Start Work Bonus did not have any income from working included in their most recent rent assessment before they started the job.

People will not be eligible for the Start Work Bonus if they:

- Pay market rent,
- Are changing jobs,
- Are moving from casual to permanent work, or from part-time to full-time work,
- Have received a Start Work Bonus in the past 18 months,
- Are currently paying a \$5 per week rent.

### Proof of income

The tenant is responsible for giving us proof of income details for:

- the tenant's spouse or live-in partner, and
- all household members who are 18 years or older.

Tenants and household members who receive income through Centrelink can give us permission to obtain and confirm their income directly with Centrelink, instead of providing these details themselves.

Proof of income must match the type of income that the person is getting. For example, if a person receives a Centrelink income, they must give us their Centrelink statement. The tenant and household members must give us proof of income for all types of income that they get.



Proof of income cannot be more than one month old, except for tax returns for people who are self-employed, which cannot be more than 13 months old.

Proof of income documents must be original and can include:

Type of income	Acceptable proof of income
Income from Centrelink or Veterans' Affairs	Income statement from Centrelink or the Department of Veterans' Affairs.
Wages/salary	Pay slips, a letter or statement from the employer showing the person's gross wage, tax, other deductions, pay period and details for the person. Documents must show the income for a minimum period of 3 4 weeks.
Self-employed	Profit and loss statement completed by an accountant or 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 showing any money paid to them.
Income from investments	Letter or statement from a finance or investment company showing any amounts paid to them from investments.
Other	Letter from another company or agency not listed above that pays them money, showing the type and amount of money paid to them.

## Payment Options

Tenants can pay their rent by:

- Centrepay deductions
- [Bpoint through the SGCH website](#)
- Internet banking
- EFTPOS
- Bank deposits
- Money orders
- Cheques
- Online, via our website (sgch.com.au)

We do not accept cash payments.

For security reasons, credit/debit card details must not be sent to us via email, text, or any written format.



---

## Rent receipts and rent statements

A tenant can ask us for a rent statement at any time. If a tenant asks us for a rent statement, we will give them the statement within 7 days.

## Tenants' responsibilities

Because we use the household income to work out how much rent to charge, our tenants must tell us within 21 days when their household income or assets change or the people in the household change and must give us proof of income and assets for the household.

## Tenants' rights

If we think a tenant has committed rental fraud or hasn't told us about changes to their household income, the tenant has the right to:

- Be told about any information/evidence that we have about them and suspected rental fraud.
- Be given a chance to respond to the information.
- Be treated fairly and have us apply procedural fairness when dealing with suspected rental fraud.
- Have a support person or advocate present at any interviews.
- Have access to an interpreter (if needed).
- Be given a record of the interview if requested and have the chance to read it and check that it is correct.

## Our response to rental fraud

If we receive information relating to possible rental fraud or suspect that rental fraud has or is happening, we will investigate it.

We might contact the following people, where we are allowed to or required to by law, to ask them about matters related to rental fraud:

- The tenant's employer or possible employer
- Supply authorities, like gas, electricity, water and telephone providers
- Neighbours
- Centrelink
- Real estate agents
- Any other people who might have relevant information

If we suspect that a tenant has committed rental fraud, we will write to the tenant and tell them what information we need from them and give them 21 days to respond. If we do not receive the required information after 21 days, we will charge the tenant market rent.

If we have information that shows that a tenant has committed rental fraud or hasn't told us about changes to their household income, we will cancel their rent subsidy and might backdate the rent to the date the income changed. Decisions about backdating rent and/or charging market rent will be made by the Head of Region, Customers and or Group Executive, Customers. In some cases, this may mean that the tenant has to repay a debt.

Where the fraud is deliberate and/or serious, we may take action to terminate the tenancy. The fraud may also be referred to other relevant agencies where required or permitted by law.





---

## Confidentiality

If we receive information about possible rental fraud, we will not reveal the details of the person who gave us the information unless required by law, or unless the person gives their approval. Depending on the severity of the allegations we may contact the NSW Police.

We will not provide any details about the outcome of the investigation to the person who provided the information.

## Requests for information

We may receive requests for information from other government agencies. We will only share information with government agencies, where we are required or authorised to provide information by law.

Requests for information will be managed by the Privacy Officer.

## Appeals

Tenants can appeal our decisions about their rent calculation. Our Appeals policy has more information on appeals.

## Relevant legislation, regulations or standards

- [Residential Tenancies Act 2010](#)

## Related documents/resources

- [Community Housing Rent Policy](#)
- Policy: Occupancy
- Policy: Appeals

## Policy information

Version:	1
Approved:	February 2024
Reviewed:	February 2024
Review frequency:	24 months
Responsible team/position:	Group Executive, Customers