



SDA Resident Rights and Responsibilities Policy

Overview

This policy outlines the approach we take to support our customers in our Specialist Disability Accommodation (SDA), so that we:

- Support and uphold the right of every SDA Resident to experience safe, secure, and independent living arrangements in line with the principles of person-centred care and the NDIS Practice Standards. This includes the right to dignity, respect, privacy, autonomy, self-determination, and informed choice.
- Empower our customers with understanding of their rights and responsibilities as a resident in our SDA properties.
- Actively welcome the involvement of SDA Residents' support networks, like family, friends, carers and advocates.
- Achieve our vision of creating belonging – a future where belonging defines great homes and act in line with our organisational values – we care, we create, we connect.
- Meet relevant legal, regulatory and contractual requirements as an SDA provider.

Scope

This policy applies to St George Community Housing and its subsidiaries (we, our and us). It applies to customers, including residents and potential residents, of our SDA services and properties. It also applies to our team members, contractors, and representatives who are involved in the provision, coordination, or support of SDA services and properties.

It does not apply to our social, affordable, or transitional housing customers.

Purpose

This policy outlines:

- How we ensure each SDA resident's access to Specialist Disability Accommodation is consistent with their human rights, personal preferences, and individual support needs.
- The rights and responsibilities of residents living in our SDA properties.
- Our responsibilities as the housing provider.

Definitions

NDIS Practice Standards

A set of quality standards established by the NDIS Quality and Safeguards Commission that registered NDIS providers must meet to deliver safe, high-quality supports and services to NDIS participants.

SDA Enrolled Dwellings

Residential properties that have been formally enrolled with the National Disability Insurance Agency (NDIA) as meeting SDA requirements under the National Disability Insurance Scheme (NDIS).



Fixtures

Items that are fixed securely to a residential property such as grab rails, built-in wardrobes, ceiling fans, shelving, kitchen units, TV mounts, plugs and sockets.

SDA Agreement

A written agreement between an SDA provider and an SDA Resident that sets out the terms and conditions relating to the resident's occupancy of an SDA dwelling. It can be an Accommodation Agreement or Residential Tenancy Agreement.

Policy

Before becoming a resident of our SDA properties, potential residents will be informed of accurate information in a format they understand, about the rights and responsibilities of SDA residents before they enter into an SDA Agreement.

As required by SDA design and compliance requirements, all SDA Enrolled Dwellings we manage accommodate the number of residents equal to the number of bedrooms.

Before an SDA residency begins

We must:

- Provide the SDA Resident with relevant state tenancy information before the SDA Residency Agreement is established and agreed upon, explained orally and in writing where reasonable.
- Prepare the SDA Residency Agreement before the Agreement commences.
- Ensure the SDA Resident who requires support to understand the SDA Residency Agreement has access to a family member, guardian or administrator (who is not an employee ours). This person will assist the SDA Resident to understand the agreement before they sign it.
- Provide a signed copy of the SDA Residency Agreement and other relevant information to the SDA Resident, their guardian or administrator.

Our duties as the SDA provider

We will:

- Take reasonable measures to ensure that SDA Residents are treated with dignity and respect and with due regard to their entitlement to privacy
- Any fixtures and fittings of the SDA Enrolled Dwelling are maintained in good repair.
- Not unreasonably interfere with an SDA Resident's right to privacy.
- Not unreasonably interfere with an SDA Resident's right to sexual expression and intimacy.
- Install fixtures and make reasonable adjustments required by the SDA Resident to assist their daily living, or proper use and enjoyment of the SDA Enrolled Dwelling.
- Take reasonable measures to ensure the security of an SDA Enrolled Dwelling.
- Minimise any inconvenience or disruption to the SDA Resident when undertaking repairs or renovations.



- Inform the SDA Resident, in writing, of any legislative requirements regarding tenancy-related notices, e.g. increase in rent, right to access premises to undertake repairs.
- Take reasonable steps to ensure that any repairs or renovations are carried out by a suitably qualified person and are completed promptly.
- Provide information in a language, mode of communication and terms to suit the SDA Resident, e.g. easy-read documentation.
- Provide access to written rent receipts or a record of payments as requested by the SDA Resident.

NDIS Code of Conduct for SDA providers

Under the NDIS Code of Conduct, we must comply with the following:

- Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions.
- Respect the privacy of people with disability.
- Provide supports and services in a safe and competent manner, with care and skill.
- Act with integrity, honesty and transparency.
- Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability.
- Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability.
- Take all reasonable steps to prevent and respond to sexual misconduct.
- Not engage in unfair pricing when supplying or promoting goods for NDIS participants.

SDA Resident rights

SDA Residents have the same rights and responsibilities as other tenants under residential tenancy laws.

SDA Residents have the right to:

- Be respected for their human worth and to be treated with dignity as an individual.
- Live free from abuse, neglect and exploitation.
- Realise their capacity for physical, social, emotional and intellectual development.
- Exercise choice and control over their own lives.
- Access information and communicate in a manner appropriate to their communication and cultural needs.
- Access independent advocacy services.
- Make a complaint or express dissatisfaction without fear of retaliation.
- Be supported in a way that respects their culture, language, identity and values.
- Choose tradespeople with values, skills and qualifications that complete relevant tasks.
- Access services that support their quality of life.



- Select their NDIS support provider.
- Have the security of tenure that is not linked to NDIS supports.
- Seek a review of any tenancy-related notices.

SDA Resident responsibilities

An SDA Resident must:

- Look after their SDA accommodation so there are no fire, health, or safety hazards.
- Pay the rent on the due date, in line with their SDA Agreement.
- Tell us as soon as possible about any damage to their accommodation, including detail on the type of damage.
- Contribute to the cost of repairing any damage caused intentionally to the accommodation.
- Allow access for maintenance and repairs.
- Get written agreement from us before installing any fixtures.
- Get written consent from us for keeping a pet, except for an assistance animal.
- Provide written notice to us when vacating their property. An SDA Resident must not:
- Use the premises for an illegal purpose.
- Take actions that puts other residents or staff in danger.
- Put other residents or staff in danger by not doing something they should do.
- Not interfere with the peace, comfort or privacy of other residents or neighbours.
- Intentionally damage any part of the accommodation.
- Install any fixtures in their accommodation without getting written agreement from us first.
- Keep a pet without our consent, unless it is an assistance animal.

Conflicts of Interest

In addition to our broader Conflict of Interest Policy, in the context of SDA services, we take additional steps to ensure:

- Participant choice and control are protected.
- SDA Residents can make informed decisions.
- Conflicts arising from SDA and Supported Independent Living (SIL) arrangements are appropriately managed.
- SDA Residents are not disadvantaged by actual, perceived or potential conflicts of interest.
- We comply with applicable NDIS requirements.

Principles

We will:



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- Act in the best interests of SDA Residents.
 - Maintain transparency and integrity in service delivery.
 - Support participant choice and control.
 - Ensure housing decisions are independent of support service decisions.
 - Proactively identify and manage conflicts of interest.
 - Provide information in accessible formats appropriate to participant needs.

SDA-specific conflict risks

Additional conflict risks may arise where:

- SDA and SIL services are provided to the same participant.
- We have a relationship or association with a SIL provider.
- Staff have personal or financial interests affecting participant decisions.
- Residents are encouraged to use a particular SIL or support provider.

Participant choice and control

We will ensure that:

- Residents receive clear information about available options.
- Residents are informed of any relevant conflicts of interest.

Disclosure requirements

All workers must:

- Disclose actual, perceived and potential conflicts in accordance with our Conflict of Interest Policy.
- Report any new conflicts as soon as they arise.
- Immediately notify their manager where a participant-related conflict is identified.
- Refrain from making decisions affected by the conflict until management direction is received.

Record keeping

Conflicts relevant to SDA service delivery must be recorded and managed in accordance with our Conflict of Interest Policy.

Resident complaints

Where a resident raises a concern about a conflict of interest, we will:

- Provide information about the complaints process.
- Support access to advocacy services where appropriate.
- Investigate the concern promptly.
- Implement corrective actions where required.



Appeals, Complaints and Feedback

If you are unhappy with a decision or action made by us relating to an SDA tenancy, you may be able to make an appeal or complaint in line with our Appeals, Complaints and Feedback Policy. You cannot appeal matters where an application has been filed with NCAT. Those matters are managed through NCAT.

Relevant legislation, regulations or standards

- [*Residential Tenancies Act 2010 \(NSW\)*](#)
- [*Privacy Act 1988*](#)
- [*NDIS Practice Standards and Quality Indicators*](#)
- [*National Disability Insurance Scheme \(Supported Disability Accommodation\) Rules 2020*](#)
- [*NDIS Code of Conduct Rules*](#)
- [*National Disability Insurance Scheme Act 2013*](#)
- [*NDIS Quality and Safeguards Commission*](#)
- [*NDIA Operational Guidelines*](#)
- [*Disability Discrimination Act 1992*](#)
- [*Australian Competition and Consumer Commission \(ACCC\) – Competition and Consumer Act 2010*](#)
- [*Building Code of Australia*](#)

Related documents/resources

- Policy: Appeals, Complaints and Feedback Policy
- Policy: Modifications
- Keeping a pet in a rental property – NSW Government Factsheet

Policy information

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