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Transitional Housing

Overview

This policy explains how we will manage transitional housing so that we:

- Deliver programs that provide time-limited, safe and secure accommodation to help individuals and families experiencing homelessness or those who are at risk of homelessness, as a foundation for opportunity to secure longer-term housing, such as private rental, social housing or affordable housing
- Act in line with our organisational values
- Ensure a fair and transparent process
- Meet our responsibilities under law, and our agreements with relevant partners
- Provide subsidised rental housing for transitional purposes to eligible tenants on a short, fixed term lease where appropriate to do so.

Scope

This policy applies to transitional housing tenancies managed by St George Community Housing and its subsidiaries (**we, our and us**).

Definitions

Transitional Housing Program

Transitional housing programs offer short-term housing options for people experiencing homelessness or who are at risk of homelessness and who, in most cases, receive formal support from one or more services to help them sustain their tenancy before transitioning into longer term accommodation.

Transitional leases for purposes of succession of tenancy

Subsidised rental housing provided under a 90-day fixed term lease for transitional purposes while the person is being assessed for succession of tenancy. Refer to our Succession Policy for more information on succession of tenancy and eligibility criteria.

NSW Housing Register

The statewide list of eligible applicants for social housing in NSW. Applicants apply through Housing Pathways for consideration to be listed on the Register.

Specialist Homelessness Service (SHS)

Specialist homelessness services provide support to assist people who are experiencing homelessness or are at risk of homelessness.



Relevant laws, guidelines and agreements

We will manage our transitional housing in line with the following laws, guidelines and agreements:

- *Residential Tenancies Act 2010* (NSW)
- *Community Housing Eligibility Policy*

Eligibility

All applicants must:

- Be an Australian citizen or permanent resident. For certain transitional housing programs, applicants may be eligible if they are seeking to gain permanent residency
- Be a resident in New South Wales
- Prove their identity
- Be experiencing homelessness or at risk of homelessness, and require immediate housing
- Be:
 - Willing to apply for social housing or
 - Have an active application on the NSW Housing Register (unless the program specifically exempts applicants from meeting Housing Pathways eligibility) or
 - In the case of a transitional lease for the purposes of succession of a tenancy only, be a household member who is an approved occupant of an existing social housing property
- Be able to meet their responsibilities as a tenant, with or without appropriate support/s in place
- Be paying back any money that they owe to Homes NSW or a community housing provider
- Agree and be committed to working towards an exit plan from the transitional housing program into a permanent housing solution.

Some specific transitional housing programs may have additional requirements that applicants need to meet to be eligible. For example, some programs have age criteria which may vary by program, or may need to be nominated by, and engage with a support service to be eligible.

Further information about eligibility, and the criteria we consider when providing a transitional lease for the purpose of succession or tenancy applications, will apply and are set out in our Succession Policy.



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Income Limits

A household's gross income must be within the social housing income eligibility limits.

Assets

Applicants or household members cannot have assets that could help resolve their own housing needs. This includes a large amount of savings, property, shares or investments. This does not stop people from saving a deposit for a home.

Housing need

Applicants must show they need housing and cannot resolve their own housing needs with or without appropriate support in place.

Assessment of applications

We will review information given to us to assess if a person is eligible for transitional housing or a transitional lease for the purposes of succession of tenancy. If an application for housing or application for succession of tenancy is missing information, we will contact the person and/or their support services and tell them what they need to provide to complete their application and by when. We cannot review an application until we have all the required information. If we do not receive all the information by the date provided, we will close the application.

The information and evidence submitted with a transitional housing application should outline why the Transitional Housing Program will be of benefit to the household based on the purpose of the program.

For applicants for succession of tenancy, an applicant must apply for succession within 28 days of the change in the household circumstances. Applicants for succession of tenancy will be required to provide supporting evidence of the household changes before they can be provided with a 90-day fixed term transitional lease.

Allocations to vacant properties

Transitional housing programs

We will allocate properties to people who meet the criteria for each transitional housing program and have been nominated by their support agency.

Transitional leases for purposes of succession of tenancy

We will allocate social housing properties for the provision of transitional housing with a view to mitigate an approved occupant's risk of homelessness while their application for succession of tenancy is assessed. In these circumstances, applicants for succession will be offered a 90-day fixed term lease for the property they currently live in.



Property offers

When we make an offer, we will:

- Make sure that the type and location of the property meets their needs based on the information received from applicants and their support partners (if any)
- Give people 24 hours to think about an offer
- Explain the lease term, continued eligibility requirements and any specific property information
- Explain any relevant rules which apply to the property
- Tell the applicants from the NSW Housing Register that:
 - Their housing application will remain active while in transitional housing
 - If they decline the property, it will not be classified as a social housing offer.

Start of a tenancy

When a person accepts an offer for a transitional housing program or a person signs a transitional lease while applying for succession of a tenancy, we will ask them to sign a tenancy agreement. The person must sign a tenancy agreement within 3 business days of accepting the offer unless we agree otherwise.

Where a person is offered a lease for a transitional housing program, the person will need to be able to pay 2 weeks' rent in advance. This must be paid before the lease commencement date.

Lease periods

Transitional housing type	Lease period
Transitional housing programs	The tenancy agreement will be for a fixed term of up to 18 months.
Transitional leases for purpose of succession of tenancy	The tenancy agreement will be a 90-day fixed term agreement.

Rent

Rent is charged as per our [Rent and Rental Fraud Policy](#).



We will inform people of the rent they have to pay when we offer them a property.

During a tenancy

Continued eligibility

To remain in a transitional housing program, tenants must continue to meet the eligibility criteria which includes demonstrating an ongoing housing need. That is, applicants or approved occupants cannot have assets that could help resolve their own housing requirements.

Applicants will need to apply for social housing if they do not yet have an active application by following the normal Housing Pathways application process, as applicable to each transitional housing program.

Applicants for succession of tenancy will continue to remain eligible for a transitional lease whilst their application for succession is assessed and must be eligible to apply for social housing if their application for succession is successful.

Property transfers

Tenants in transitional housing cannot apply for a property transfer to another transitional housing property.

Additional household members

Tenants in transitional housing programs must ask for approval in writing if they want someone else to live in the property.

When we receive a request for someone else to live in the property, we will look at:

- Whether the household will still meet the criteria for the program
- Whether the property is suitable.

Tenants who are in a transitional lease for the purposes of succession will not be able to make a request for additional household members to be added to the lease until their application for succession of tenancy is finalised.

Engagement with support services

Where applicable, tenants in our transitional housing programs must demonstrate they are continuing to meet with their support/s services and are working towards a suitable exit plan out of transitional housing. We will hold regular meetings with tenants and their support service/s throughout the program to address ongoing support needs and any tenancy matters.

Absence from property

We may approve an absence of up to 3 months only for a tenant in our transitional housing programs, as the maximum time a person can live in a property is generally limited under program guidelines. Applications for absences will be assessed by the property Tenancy Manager or Lead, Sustainable Tenancies.



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We will not usually approve an absence from the property for a transitional lease granted for the purposes of succession of tenancy, as these leases will be 90-day fixed term leases.

Ending a tenancy

We will always meet our legal, regulatory and contractual obligations when giving notice to end a tenancy.

We may end a transitional tenancy if the tenant is no longer eligible for a transitional housing program, or, if the program operated for a limited period of time and has now ended, we may end a tenancy under section 87I of the *Residential Tenancies Act NSW (2010)*. This includes situations where a tenant is found to be ineligible for succession of tenancy or is eligible for succession of tenancy but not eligible to remain in the current property. If a tenant is no longer eligible for transitional housing, we will provide them with details about why they are no longer eligible.

We may also end a transitional tenancy for other reasons outlined in our End of Tenancy Policy.

We will give notice to end the tenancy in writing. The notice will be sent in the mail, hand delivered or put in the person's mailbox. If the tenant has nominated an email address for service, we will serve notices by email to the email address provided. Where required, we will provide relevant supporting documents or information as part of the notice.

We will give tenants the required notice period when ending a tenancy. More information about minimum notice periods can be found on the [NSW Government website – Minimum notice periods for ending a residential tenancy](#).

End of tenancy charges, debt and rent arrears

If a tenant leaves and owes us money, we may apply for an order from the NSW Civil and Administrative Tribunal ([NCAT](#)).

If the amount owing is more than the NCAT limit, we might take other legal action (e.g. local court) to recover the money owing.

Financial hardship

Financial hardship occurs when a tenant can't afford to pay their rent without it impacting their ability to cover basic living needs due to unexpected changes in their income. We will work with tenants to provide support as per our [Financial Hardship Policy](#).

Appeals and complaints

Transitional housing applicants or tenants can appeal decisions or make a complaint. Read our [Appeals, Complaints and Feedback Policy](#) for more information.

If a person is still not happy with our decision about their appeal, they may be able to lodge an appeal with the [Housing Appeals Committee \(HAC\)](#) to look at our decision. An appeal with [HAC](#) should be made within 3 months of our decision. A person should contact HAC to seek advice on what decisions can be appealed.



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Relevant laws, regulations or standards

- [Anti-Discrimination Act 1977 \(NSW\)](#)
- [Residential Tenancies Act 2010 \(NSW\)](#)

Related documents/resources

- Policy: Appeals, Complaints and Feedback
- Policy: Rent and Rental Fraud
- Policy: End of Tenancy
- Policy: Succession
- [Housing Appeals Committee \(HAC\)](#)
- [NSW Civil and Administrative Tribunal](#)

Policy Information

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