

# Coronavirus (COVID-19)

## Public Housing and Victorian Housing Register– Operational policy and related changes

**Last updated: 31 March 2020**

In response to the COVID-19 crisis, given the limited resources of many public housing tenants, applicants for access to social housing, through the Victorian Housing Register, and for assistance to access private rental, through the RentAssist Bond Loans, the Department of Health and Human Services housing operational policy settings are being amended as follows:

### Treatment of Income and Assets provided in response to COVID-19

Income Types that are to be excluded when calculating rent, or eligibility for VHR and bond loans comprise the following Commonwealth initiatives;

- One off payment of \$750 to benefit recipients
- Income supplement of \$550, per fortnight
- Early access to superannuation

**Note 1:** HiiP will be updated to automatically exclude these income types in calculations, which where known should be recorded to determine the impact and access to these forms of assistance for those living in public housing or seeking housing assistance.

**Note 2:** The Rental Rebates Manual, Victorian Housing Register guidelines and RentAssist Bond Loan Guidelines have all been updated as 30/3/2020 with these new arrangements.

### Transfers of Tenancy

Consistent with sustaining housing during the current crisis, while the normal operational guidelines of establishing the validity of a transfer apply, the principle is that a loss of housing during, is to be avoided, where possible.

### Management of debt

There are changes in both management of debt on a day to day process, as well as policy settings.

#### Bond Loans – treatment of outstanding bond debt

From 31/3/2020, the treatment of RentAssist Bond Loan debt is aligned to that of those with debt seeking to access a tenancy in public housing; in that a bond loan, or other types of debt owed to the Director of Housing is not a barrier to accessing a further bond loan.

However, there is still the expectation that the client be engaged to repay the amount outstanding, but that process cannot be used to withhold a further bond loan.

There are four circumstances in which repayment of a bond debt is not required:

- Bond loan issued prior to 1 July 2001 – from which all bonds now held by the Residential Tenancies Bond Authority.
- Family violence – the bond debt is due to family violence or the applicant is currently escaping family violence and forced to leave their current housing.
- Serious medical condition – an applicant forced to leave a tenancy due to a serious medical condition.
- Bankrupt clients – if one applicant on a previous bond application is declared bankrupt, the outstanding debt is written off for all joint applicants.

**Note 1:** See the revised RentAssist Bond Loan Guidelines updated on 31/3/2020 for the full detail.

## Rebate Assessments

If a household has experienced a decrease in income due to circumstances resulting from Covid19 such as self-isolation or loss of employment, the decrease is to be applied as soon as possible to benefit the client. The decrease is to be effective from the Sunday prior to the change.

### Wages/self-employment

If the client's income in their last rebate assessment was WAGES or SELF, and he/she has lost employment and is yet to receive a Centrelink benefit, the equivalent rate should be imputed from the date the employment ceased.

Documentation that can be accepted as evidence of this:

- Documentation from Centrelink to confirm that the client has applied for payments,
- Pay slips from an employer
- Letter or email from their former employer

Where possible a rebate form is to be emailed to the client and completed. There has been a shortened version of this form created and is available via the HousingVic website or the Public Housing Resources SharePoint. The new short form will also be added in HiiP to replace the current long version, as quickly as possible.

### Newstart, and earnings from wages or self-employment

If the client's income in their last rebate assessment was NSA and they also earned income from WAGES or SELF, and he/she has lost employment, they will not be required to provide 13 weeks of wages, or a new 13 week profit and loss statement, if they can demonstrate that the decrease in income is due to COVID-19

Documentation that can be accepted as evidence of this:

- Documentation from Centrelink to confirm that the client has applied for payments,
- Pay slips from an employer
- Letter or email from their former employer

## Temporary Absence For People Incarcerated

As IAP workers can no longer attend the prisons, the following arrangements are now in place from 30/3/2020.

### Single Person Households

Current subsidies: IAP workers to email to relevant housing office with revised release date; housing staff to extend current subsidy regardless of whether six months or not has elapsed.

New subsidies: IAP workers to email to relevant housing office with date of incarceration, location and date of release if known; housing staff to apply subsidy for full duration if under 12 months; if over 12 months, apply for an initial 12 months.

No temporary absence form or rebate form required.

### Multiple person households

Current and new subsidies: set the relevant person's income in HiiP to zero, and reassess the rent; no requirement for rebate form, but new short form temporary absence form required.

When period of incarceration ceases; reinstate previous income.

## Rent and Maintenance debt

Public housing depends on the rent revenue of tenants to meet its cost of operation and maintenance. At the same time, it is recognised that public housing tenants can experience financial hardship, especially in the current crisis.

**To balance these needs, the following arrangements will be in place:**

### Debt Tolerance

The current debt tolerance level of \$5, at which HiiP sends an initial arrears letter to clients will be adjusted to \$150. As an outcome, for any tenancy with a debt of less \$150 will change to small arrears to be pursued through manual process, if time allows.

### Management of rent debt

No debt related matter should be referred to VCAT until a minimum of 3 months has elapsed, to allow for any delays in tenants accessing additional financial assistance and financial counselling if required, or if paying via Australia Post, time to arrange bank debit, or Centrelink Direct Debit.

Staff should:

- Continue to contact tenants who enter rental arrears or have current debt balances to understand and work through individual circumstances, repayment options and other options
- Assist tenants whose household income has decreased to apply to have their rental payment amount adjusted for reduced income, by lodging a rebate application using a new streamlined form. Staff may also refer affected tenants to supports such as Tenancy Plus
- Agree to requests to reduce the current debt repayment amount

### Application of Subsidies

Under the current crisis, when a household is required to have a household member temporarily relocate, so the household is now incurring two sets of housing costs, the department will apply a subsidy to reduce the weekly rent payable on the public housing property to \$15 per week. The change will apply for the period of the change or until 2 August 2020, if family violence is a factor, the end of the current fixed rent period.

The rental subsidy guidelines will be updated shortly.

A new subsidy type will be created in HiiP for this purpose.

## VCAT

### As per recent advice of 20/3/2020:

On 18 March 2020, VCAT announced on its website it was closing public access and would hear matters for the Residential Tenancies Act list, via telephone.

Given the government's commitment to minimise evictions during the COVIS-019 crisis, only the following matters should proceed at VCAT:

- **Anti-social behaviour** - To proceed with matters involving Dangerous behaviour or Illegal use of the property and urgent Compliance matters.
- **Evictions** (noting we may decide not to action the warrant subsequently)
- **Illegal Occupancy**
- **Rent debt** greater than \$1,000, where three months have elapsed since the debt occurred

All other matters currently before VCAT including MCATS; seek to be adjourned to a date to be fixed. Comply with requests from VCAT for documents to be emailed.

**Note 1:** a secure drag and drop capacity to send documents to VCAT electronically is currently being explored centrally.

## Issuing of Bond Vouchers

In the current situation, applicants approved for a RentAssist Bond Loan, are unable to access these at housing offices.

Given timeliness is critical when securing a bond loan, from 31/3/2020, bond vouchers should be generated by the location assessing the application (Housing Call Centre or housing), and emailed to the real estate/landlord directly, or the client as a last resort.

The HiiP letter to the client will be amended to advise of the new process, and the process and steps circulated separate to this advice.

## Witnessing of Documents

In the current crisis, clients are unlikely to have access to the required authorities to witness documents.

On that basis, documents submitted that are not witnessed should be accepted. Where possible, a check of a previous document stored in HiiP and signed by the client should be checked to verify identity.

Changes in forms will be progressed as quickly as possible centrally, to remove the requirement for a witness and substitute the requirement under the Housing Act 1983 that renders a person liable to prosecution if providing false information (the approach already in place for Victorian Housing Register and RentAssist Bond Loan applications).

## Appeals

The department is temporarily suspending most housing appeal categories until further notice. Only current and new appeals relating to the three categories below will proceed:

- Transfer of Tenancy
- Rental rebates,
- Outstanding charges, including rental arrears and maintenance debts.

### **Current appeals: Tier 1 and 2**

Current appeals at Tier 1 and Tier 2 that belong to the categories above will be progressed. Current appeals at Tier 1 and Tier 2 not in these categories will be postponed.

Clients with a current appeal at Tier 1 or 2 will be contacted by the Housing Appeals Office about the status of their appeal, i.e. that it will proceed or will be postponed (local offices will not need to do this).

### **New appeals**

For the three categories that will still be assessed, new appeals will need to be made by submitting a housing appeals application by email (rather than by post). To minimise local office workload, where a new appeal is received for the categories above, local offices can forward the appeal to the Housing Appeals Office to register.

New appeals that do not belong to three categories above will not be registered at this time. If client wants to lodge a new appeal other than for the three categories above, the Housing Appeals Office will provide a template response letter for local offices to use.