

144 Managing Rent and Other Arrears

1. Policy

This policy applies to all tenants of Link Housing including affordable housing, social housing, transitional housing and housing for people with a disability.

Link Housing prioritises the management of rent, water and other arrears as it is a key component of maintaining tenancies. It also ensures that rental income available to maintain properties or provide additional housing services people in housing need is maximised. This policy is underpinned by these three principles:

- i. Early intervention is important to prevent tenancies from failing and to ensure arrears do not become overwhelming for the tenant,
- ii. We will work positively and compassionately with tenants to reach an agreement to support them resolve the rent arrears,
- iii. All tenants have a responsibility to pay their rent in advance.

2. Rent Payment Requirements

All tenants are required to pay their rent two weeks in advance. This means that each tenant must pay their rent on or before the day set out in the tenancy agreement. This is stated in each tenant's Residential Tenancy Agreement.

Link Housing will not require a tenant to pay more than 2 weeks in advance nor to pay rent before the end of the previous period for which rent has been paid.

3. Process

When the account of a tenant has been identified as being in arrears, Housing Managers will contact tenants as soon as possible to discuss the cause of the arrears and options for repayment of the arrears.

Link Housing will offer tenants who are in arrears the option of a repayment plan. The plan provides tenants with the opportunity to pay their arrears off over time.

If Housing Managers cannot contact the tenant by phone or in person, a letter will be sent to the tenant requiring them to repay the arrears or contact Link Housing to make arrangements for repayment of the arrears.

If a tenant does not respond to phone calls, home visits or letters, Link Housing will take action in accordance with the Residential Tenancy Act 2010. This may involve issuing a termination notice for non-payment of rent and the tenant being required to attend a hearing in the NSW Civil and Administrative Tribunal where the tenant agrees to a repayment plan or, if the tenant refuses, to be evicted.

In all cases, Link Housing will check that it has:

- i. reviewed the accuracy of Link Housing records,
- ii. kept the tenant informed by phone and in writing about what is happening and what they can or should do, and
- iii. been sensitive and responsive to individual needs and circumstances that may have an

impact on why the arrears happened and how they can be repaid.

4. Former Tenant Arrears

Link Housing will make every reasonable effort to collect former tenant rent arrears and non-rent debts.

All tenants who end their tenancy and who have an unpaid rent or non-rent debt will need to negotiate a repayment agreement. Repayments will be monitored on a fortnightly basis.

Former tenants who do not agree to a repayment agreement or do not make payments will be taken to the NSW Consumer and Administrative Tribunal which will order the former tenant to make repayments.

5. Privacy and Confidentiality

Link Housing will keep applicants', tenants' and residents' information and feedback confidential, in line with privacy laws and standards.

6. Complaints and Appeals

A tenant or applicant who is not happy with a decision made by Link Housing or who believes that Link Housing has not followed policy can complaint or appeal using the complaints and appeals policies. These can be obtained from www.linkhousing.org.au or by phoning Link Housing on 9412 5111.

7. Legislative Framework and Related Policies

- Residential Tenancies Act 2010
- Eligibility for Social Housing Policy