

# Baptcare Affordable Housing Policy

## Document Information

Date:	23/2/2023	
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Document type:	Policy	

## Overview

### Purpose

The purpose of this policy is to ensure rents are managed by Baptcare Affordable Housing (BAH) in a pro-active and responsive manner in order to minimise rental arrears and ensure ongoing sustainable rentals.

### Who Does It Apply To?

This policy applies to all rental agreements in properties owned and/or managed by BAH.

### Definitions

- a) Hardship – a condition of privation or suffering, often caused or exacerbated by lack of money.

# Policy

## Overview

This policy defines the measures BAH will take to prevent renters becoming affected by hardship, and how it will respond when a renter declares that he or she is experiencing hardship.

### Principles

BAH is reliant upon the cash flow created by the rental income from its properties. Failure to recover rents has an impact upon our ability to meet financial commitments as well as our ability to preserve, maintain and expand the supply of affordable housing to low income and disadvantaged renters.

BAH will make every effort to prevent rental debt from occurring in the first instance and to effectively recoup outstanding rent arrears and rectify unsustainable tenancy arrangements in accordance with the provisions of the Residential Tenancies Act 1997 (RTA).

To achieve this, BAH takes the following approach:

- All renters are informed of their eligibility for benefits, including Commonwealth Rent Assistance at the commencement of their rental agreement and when their circumstances change (see BAH Rent Policy)
- BAH will identify rent arrears as soon as they occur and make contact with the renter to address the arrears, including entering into any repayment agreements
- BAH will ensure that renters' human rights are considered in line with the Charter of Human Rights and Responsibilities 2006
- Where required, BAH will assist renters with referrals to organisations who can assist with information about entitlements to benefits, budgeting advice and one-off rent payments
- Renters are encouraged to contact BAH immediately if they are experiencing difficulties paying their rent
- Renters are encouraged to enter into reasonable and affordable rent arrears agreements
- When a renter does not engage with BAH staff about their rent arrears, appropriate action may be taken in accordance with the provisions of the RTA, including the issuing of a Notice to Vacate
- Eviction as a consequence of rent arrears will only occur as a last resort when all other avenues have been exhausted and only with the approval of BAH Management.

### Financial Hardship

Renters may experience financial hardship for a number of reasons, including:

- Loss, or a reduction of, the primary income
- Separation, divorce or the death of a renter
- Family violence
- Any other significant or unexpected financial circumstances.

Where the household income has been reduced, renters can apply to have their rent re-assessed and adjusted accordingly. This adjustment will be backdated to the time at which the income changes occurred.

The RTA offers specific protections to victims of family violence. BAH will seek to pro-actively support any renter who experiences family violence, including by making them aware of the protections afforded to them under the RTA and supporting them to make any necessary changes to the Rental Agreement or property.

Where a renter's circumstances are such that repayment of their arrears adversely affects their capacity to purchase food or pay their utilities, a Discretionary Arrears Write-Off may be agreed by the CEO.

## Rights and Responsibilities

Renters' rights and responsibilities are protected under the Residential Tenancies Act and other Acts of parliament.

It is important for renters to know and understand their rights and that along with rights come responsibilities. At the beginning of the rental renters are given a series of documents including a "Rights and Responsibilities" booklet. This booklet describes both the renter's and the rental provider's rights and responsibilities. If you have misplaced this then please ask a worker for a replacement copy.

Information and support can also be obtained through Consumer Affairs Victoria and the Tenants Union of Victoria.

**Consumer Affairs Victoria**  
1300 55 81 81  
[www.consumer.vic.gov.au/](http://www.consumer.vic.gov.au/)

**Tenants Union of Victoria**  
1800 068860  
tenantsvic.org.au

## Policy Review

This policy will be reviewed every two years or earlier if the legal, regulatory and contractual environment requires.

## Related Documents

BAH Ending Residential Rental Agreements Policy  
BAH Rent Policy  
Residential Tenancies Act 1997 (Vic)  
Residential Tenancies Regulations 2021 (Vic)  
Housing Act 1983 (Vic)  
Victorian Housing Registrar Performance Standards  
Charter of Human Rights and Responsibilities 2006 (Vic)

## Revisions and History

Next Review Date:	Month Year	
Revision History	Section	Commencing
Policy no. 8.5, v.1 v.1.2	Updates to Residential Tenancies Act	1/8/2019 (Approved by ELT Date)

This policy will be available on the BAH website: [www.baptcare.org.au/services/housing/affordable-housing](http://www.baptcare.org.au/services/housing/affordable-housing)

## Document Control

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Document file name:	BAH Hardship Policy
Document file location:	[File location hyperlink address TBC]