

## Winda-Mara Housing Program (WMHP) Sustaining Tenancies Policy

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## WMHP Sustaining Tenancies Policy

Winda-Mara Aboriginal Corporation ('WMAC') and Winda-Mara Housing Limited ('WMHL') work together to deliver safe, secure and affordable housing solutions for eligible Aboriginal and Torres Strait Islander community members living in far southwest Victoria.

The activities, principles, policies and elements that contribute to and regulate the housing schemes of WMAC and WMHL are collectively referred to as the Winda-Mara Housing Program ('WMHP').

The WMHP's policies and procedures are designed so that its practice and service delivery align with the following cultural statement:

Our vision is to create a thriving community where Aboriginal and Torres Strait Islander people have access to safe, affordable, and culturally appropriate housing. We aspire to empower individuals and families through improved health, education, and wellbeing, fostering a strong sense of identity and pride in our cultural heritage. Through collaboration and sustainable development, we aim to build a future where every member of our community has the opportunity to flourish and succeed.

### 1. Introduction

WMHP is committed to working with renters to achieve successful, sustainable tenancies. WMHP recognises the complexities associated in maintaining tenancies for renters experiencing high levels of disadvantage or with complex needs.

WMHP takes a renter focused approach to all its procedures and work practices within its Housing Program.

### 2. Scope

This is a Housing Program Policy. It applies to all residential tenancies managed by WMAC or WMHL.

### 3. Purpose

The purpose of this policy is to provide clear guidance on WMHP's proactive approach to sustaining tenancies.

### 4. Policy Aims

- WMHP aims to work proactively to build positive and functional relationships with renters and to help renters successfully sustain their tenancies.

- WMHP is committed to maximising stable housing for renters, which is a fundamental requirement for enabling people to build their lives and communities.
- WMHP will ensure that all its housing management policies, procedures and work practices are directed to sustaining tenancies.
- WMHP aims to avoid evictions and exits into homelessness at all times,
- The principles of this policy are to be implemented at all times by all staff managing tenancies on behalf of WMHP.

## 5. Definitions

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Community Crisis/Emergency	An event being experienced by a whole community that has caused significant detrimental impacts on the community's ability to function as normal such as bushfires, flood or pandemic.
Hardship	A situation being experienced by a renter/tenant that is out of their personal control and impacting their capacity to meet their financial obligations to WMHP.
Renter/tenant	A person who is a signatory to the lease/rental agreement with WMHP for the home they live in and includes rooming house residents.
Renter/tenant debt	Any monies owed to WMHP related to a tenancy that are unpaid and do not have an active and engaged payment plan in place

## 6. Principles

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### 6.1 Clear Communication

At the establishment of a new tenancy, WMHP will work proactively with renters to ensure that they understand their rights and responsibilities, the features of their property, how rent is calculated, how to contact WMHP and what they can expect of WMHP during their tenancy.

WMHP will provide clear information to renters on how they can make a complaint or appeal, and any legal requirements they have under the Residential Tenancies Act 1997 (Vic) ('RTA').

### 6.2 Eligibility and Allocations

WMHP will use allocation strategies to facilitate sustainable tenancies. During application, WMHP will work with potential renters to identify any barriers to sustaining tenancies and will consider the renters' needs and preferences when making allocations.

Where applicable, WMHP will also consider the needs and preferences of other household members.

### 6.3 Affordability

WMHP will always endeavour to avoid practices that disadvantage renters. WMHP will work with renters to identify any supports that may be required to prevent debt and other financial difficulties.

WMHP will make every attempt to develop and manage housing that is up to standard and affordable.

## **6.4 Rent Arrears and Tenants' Debt**

At the beginning of tenancies, WMHP will work closely with renters to help establish regular payment practices and ensure that renters understand how and where rent payments can be made. Renters will also be provided with information about what they should do if they fall behind in rent payments. WMHP understands that non-payment of rent is one of the main issues that places a tenancy at risk.

In cases where there are changed circumstances, for example, where there is hospitalisation, residential treatment stays, or short-term imprisonment, WMHP will ensure that rent can still be collected and paid by electronic methods, including Centrepay or Direct Debit. For further information refer to WMHP's Temporary Absence and Rental Hardship Policy.

WMHP recognises that prevention strategies are essential, and acting early supports renters to sustain their tenancy. Where rental arrears or debt is identified, WMHP will negotiate realistic repayment agreements. See WMHP Arrears Policy for more detail.

## **6.5 Tenant Engagement**

WMHP values its relationships with its renters and understands the importance of early intervention with vulnerable clients and those most at risk of not being able to sustain their tenancy.

Each incident of a failing tenancy is assessed based on its own circumstances. WMHP will develop a suitable strategy to work with the renter and take into account any challenges the renter might have such as:

- changes in employment;
- financial;
- health;
- mental health;
- living skills;
- responsiveness to contact;
- age/frailty;
- immediate sorry business;
- impacts from sorry business;
- youth; and

- incidences of family violence.

## **6.6 Support Coordination**

WMHP will work with renters to proactively identify any additional tenancy skills they require to maintain their own tenancies. WMHP will also engage with renters to identify any other supports, resources or opportunities which would help overcome any barriers to successful tenancies.

## **6.7 Disputes**

WMHP will promptly respond to any disputes that arise in relation to tenancy issues. This includes neighbourhood issues, renter to renter issues or issues that affect a renter based on decisions made by WMHP.

Where a renter or prospective renter feels adversely affected by a decision of WMHP, they can raise their concerns with the Housing Officer. WMHP encourages renters to utilise its Complaints, Feedback and Appeals Procedures so that renters' concerns are met, and their tenancies are managed in a fair and equitable manner.

Renters can refer to the WMHP Complaints, Feedback and Appeals Policy and WMHP Complaints, Feedback and Appeals Procedure for further information.

## **6.8 Changing Needs of Tenants**

WMHP acknowledges that the needs and priorities of renters and household members change over time. WMHP will work closely with renters whose circumstances change suddenly. For example, because of ill health, domestic and family violence, sorry business or other life event, to coordinate additional support as required.

Requests from renters to modify their property or transfer to another property due to changing needs will be managed fairly and flexibly. Refer to WMHP Modifications Policy for more information.

## **6.9 Community Crisis or Emergency**

WMHP is committed to assisting renters to sustain their tenancies during times of emergency and crisis, such as during bushfires, floods, and pandemics for example. WMHP is aware that these types of situations may affect people's ability to pay their rent or other financial obligations.

During crisis situations, WMHP may introduce temporary practices such as postponing or cancelling rent reviews or rent increases for a certain period of time. WMHP will notify renters in writing of any decisions made in such times and will encourage renters to speak with WMHP staff if they are affected by such an event.

## **6.10 Ending Tenancies**

WMHP views evictions as a last resort option. WMHP will only start eviction proceedings when all other reasonable ways of assisting the renter to sustain their tenancy have failed.

At all stages of the eviction process, WMHP will make it clear to renters of the actions they can take to restore their tenancy.

WMHP will always consider the human rights of its renters throughout this process.

Where an acceptable agreement or performance/compliance order has been reached with a renter to resolve any tenancy issues, WMHP will seek to maintain the tenancy.

However, WMHP may move towards ending the tenancy in cases where:

- there are repeated substantial breaches of the tenancy agreement;
- violence to other people or excessive damage to property has occurred; or
- in circumstances outlined in the WMHP Ending Tenancies and Eviction Policy.

Where possible, WMHP will assist exiting renters to secure alternative housing, for example, by providing tenancy references and minimising barriers to rehousing.

## 7. References

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### 7.1 External or Statutory Requirements

This policy complies with the following external legislation or requirements:

- *Housing Assistance Act 1996* (Cth)
- *Housing Act 1983* (VIC)
- *Residential Tenancies Act 1997* (VIC)
- National Affordable Housing Agreement Victorian Charter of Human Rights and Responsibilities Act 2006
- National Community Housing Standards
- Department of Human Services Standards
- (VIC) Consumer Charter for Community Managed Housing and Homelessness Services
- (VIC) National Community Housing Regulatory Code
- Victorian Community Housing Regulatory Code
- State-based agreements between WMHL and statutory bodies

### 7.2 Internal Requirements and Forms

This policy refers to the following internal documents, which are available in the WMP Document Register:

- WMHP Complaints, Feedback and Appeals Policy
- WMHP Complaints, Feedback and Appeals Procedure
- WMHP Customer Service Charter

- WMAC Privacy Policy
- WMHP Hardship Policy
- WMHP Customer Service Charter
- WMHP Modifications Policy
- WMHP Arrears Policy

## 8. Review

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

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