

Hardship Policy

1. Purpose

The purpose of this policy is to outline how Jubilee Housing Inc aids renters who are experiencing significant financial hardship. This includes hardship where renters are required to be temporarily absent from their property and special consideration is required to help sustain the tenancy.

2. Scope

This policy applies to all properties managed by Jubilee Housing Inc that have been built or purchased using capital funding from the state or federal government.

This includes all properties located at:

- Jubilee Place development, Lexton Rd, Box Hill North
- Emmaus development, Home St, Bayswater North
- College Way and Figtree Lane, Burwood.

3. Guiding Principles

Jubilee Housing Inc ensures rents remain affordable by allowing renters to apply for rent to be adjusted to a percentage of household income at each annual review.

As a not-for-profit organization that relies predominantly on rental income to meet the costs of providing accommodation, Jubilee Housing expects that renters will pay rent on time and in full each fortnight.

Where rent payments fall into arrears, Jubilee Housing will respond in a respectful and person-centred manner that provides genuine opportunities for renters to remedy the arrears and to maintain successful tenancies. (*See Arrears Policy for more information*)

In special circumstances, where renters face financial hardship due to an ongoing reduction in household income that makes them unable to meet their rental obligations, Jubilee Housing Inc will implement additional measures to assist renters to recover from financial difficulty and sustain their tenancy.

In applying this policy Jubilee Housing Inc will also ensure:

- All renters experiencing financial hardship are treated with sensitivity.
- Where tenancies are at risk, intervention will occur as early as possible to attempt to rectify any issues.
- Consistent, fair and accountable processes are followed, and renters will be provided information about processes that impact their tenancies.
- A commitment to respond to matters that may be family violence related, that is trauma informed and promotes the wellbeing and safety of renters and their families.
- All our legal, regulatory, and contractual duties are met.

4. Financial hardship

Financial hardship occurs when a renter is unable to pay their rent without impacting on their ability to meet their basic living needs, this may be due to:

- Unavoidable and significant new or increased expenses (e.g., non-PBS medications or hire of expensive medical equipment where no external funding such as NDIS is available)
- Financial hardship because of family violence (See Family Violence Policy for more information)
- Medical emergency incurring significant additional expenses
- Unplanned reduction in income
- Natural disasters such as bushfires or flood
- Incarceration
- Other significant and unexpected financial circumstances

5. Temporary Absence

A temporary absence is when a renter is required to be absent from their property for a short period of time, generally from 3 months up to a maximum of 6 months. In exceptional circumstances, this period of absence may be extended beyond 6 months.

Where a renter is required to pay for temporary accommodation (e.g. respite, rehabilitation, and nursing homes) or will have no access to their regular statutory income due to the absence (e.g. prison) they can apply for special consideration.

Please note that holidays and routine hospitalisation are not considered a temporary absence and are not covered by this policy; rent must still be paid during these absences (See Arrears Policy for more information)

6. Applying for Hardship Support

Renters experiencing financial hardship should inform Jubilee Housing as soon as possible and provide documentation that shows how the hardship occurred, how the hardship impacts the renter's ability to pay rent, when the hardship began, and how long it is expected to continue.

Types of documentation include:

- Letters from support services or financial counsellors
- Confirmation of loss income
- Any other evidence of financial hardship

Renters seeking support due to temporary absence must provide:

- The entry and exit date of temporary accommodation
- Confirmation of payment of fees, **and/or**
- Confirmation they will not be receiving their regular statutory income

7. Jubilee Housing Hardship Provisions

- On becoming aware that a renter is facing financial hardship Jubilee Housing will:
- Defer any legal action for rent arrears

- Consult with any existing financial counselling or support service the renter has engaged with to develop appropriate response plans
- Where financial support is not already in place, offer to refer renters to services that may assist to stabilize their circumstances such as financial counselling services or other support services.
- Jubilee Housing will also work with the renter and their support service to ensure the renter is receiving any Centrelink benefits they may be eligible for such as rent assistance and concession cards as well as other forms of practical and financial aid such as energy grants, food parcels and assistance with school costs.
- Liaise regularly with the renter and/or their advocate to monitor their current circumstances and discuss potential recovery plans.

Hardship provisions will remain in place until the circumstances causing financial hardship have improved OR an application for Special Consideration has been approved OR until the next annual rent review.

8. Special Consideration

Where financial hardship continues for a period beyond 3 months the renter may request that their circumstances receive special consideration from the Jubilee Housing Committee of Management. All applications for special consideration will be assessed on a case-by-case basis, based on the information and evidence provided in the application including consideration of the renter's human rights. Jubilee Housing Inc will advise the renter of the outcome in writing within 14 days.

Assessment includes (but is not limited to):

- whether the renter is absent due to special circumstances
- any previous temporary absence period or hardship support,
- renter or household history, including any complex tenancy issues
- the involvement of other programs, for example, child protection
- any renter or household issues relevant to the decision
- evidence of unexpected and significant additional financial costs
- evidence of significant medical costs not covered by external funding
- approximate length of incarceration and how a renter might avoid exiting prison into homelessness

In line with the human rights charter, Jubilee Housing will consider how the renter and their household's human rights which may be impacted by the decision. This will include the individual circumstances and consequences for the household which may result from the proposed action. For example, will non-approval cause severe hardship to the household, negatively impact the family unit, their ability to practice their culture and religion, impact their mental health or result in an eviction into homelessness?

8.1 What happens when Special Consideration is approved?:

Where significant hardship has been established (either financial hardship or hardship due to temporary absence), the Jubilee Housing Committee of Management may decide to:

- recalculate and adjust rent in accordance with current household income prior to the next scheduled rent review **and/or**
- backdate the recalculated rent to the date the hardship was first experienced **and/or**
- waive any portion of existing rent arrears **and/or**

- make further rent reductions in recognition of additional expenses related to the renter's health or safety.

Special consideration measures will remain in place until the next planned rent review.

8.2 What happens if Hardship Provisions or Special Consideration are not approved:

Where it is assessed that a renter is not eligible for hardship provisions or special consideration, rent will continue to be charged as assessed at the most recent annual rent review. Jubilee Housing will respond to any arrears in rent in accordance with its Rent Arrears Policy.

9. Related policies

- Rent Policy
- Rental Arrears Policy (TBA)
- Complaints Policy (TBA)
- Family Violence Policy (TBA)

10. Legislation and standards

This policy implements Jubilee Housing Inc's obligations under:

- Residential Tenancies Act 1997 (Vic)

And aligns with the Community Housing industry expectations under:

- Housing Act 1983 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Performance Standards for Registered Housing Agencies

11. Useful Resources

National Debt Helpline	https://ndh.org.au/
Money Smart	https://moneysmart.gov.au/
Concessions Eligibility Calculator	https://services.dffh.vic.gov.au/concessions-eligibility-calculator
Utility Relief Grant Scheme	https://services.dffh.vic.gov.au/utility-relief-grant-scheme
No Interest Loans (NILs)	https://goodshep.org.au/services/nils/

12. Definitions

Financial Hardship	Hardship is where unforeseen events occur that fundamentally place a renter's tenancy at risk due to an unavoidable change in a renter's financial position and an inability to pay agreed rents.
Income Earning Household Member	Any member of the household who earns an income from any source including but not limited to wages, salary, Centrelink benefits and compensation payments.
Separation Certificate	An employment separation certificate is a document issued by the government to show basic details about someone's employment. These details include: period of employment, details of final pay, reason for termination and how much they were earning when they left.