

## 1. Introduction

Rent setting refers to a system of setting rents to ensure that rents are in accordance with national and state-based requirements and obligations as well as the vision and mission of Wayss as an affordable, social and community housing provider. This policy outlines how rents are set and how Wayss will charge rent in accordance with the Homelessness Services Guidelines and Conditions of Funding.

Wayss is a Child Safe organisation and child safety is at the forefront of our program delivery. Our policies ensure that child safety is a primary part of everyday thinking and practice. All employees, contractors and volunteers have an obligation to ensure we keep children safe from harm and abuse.

We're committed to upholding the rights of all of our stakeholders and creating a workplace that fosters inclusion and diversity. We believe that by bringing our authentic selves to Wayss, we can contribute to building strong teams, cultivating leaders, and creating an organisation that is well-suited for every individual. It's essential to us that we establish an environment where everyone, regardless of their background, can be themselves and feel safe, valued and respected. Regardless of whether you identify as an Aboriginal or Torres Strait Islander or LGBTIQ member, are from a culturally and linguistically diverse background, or a person living with a disability, as an individual associating with Wayss, you have the right to participate and engage in an environment that is free from discrimination and bias, and we strive to create a workplace that honours that commitment.

## 2. Scope

This policy applies to all renters in social housing and rooming houses managed or owned by Wayss.

## 3. Policy Statement

### 3.1. Policy Principles

Wayss sets rents and determines rental rebates for residents in social housing properties owned and managed by Wayss, to ensure that our housing is affordable for people on low to moderate incomes and:

- is fair and transparent in setting rent and determining rental rebates with established affordability benchmarks.
- we communicate clearly to applicants and residents/renters as to how Wayss sets and reviews rents and determines rental rebates.
- is compliant with contractual, legal and regulatory obligations relating to affordability of rent.
- is in accordance with the *Residential Tenancy Act 1997 (Vic)*.
- enables Wayss to meet our financial obligations and maintain our financial viability to continue to provide affordable homes.

## 4. Rent Setting and Gross Household Income

### 4.1. Overview

Everyone living in social housing must pay a rental amount. It may be market rent, or renters may be eligible for a rental rebate which is an amount lower than the market rent and is based on the

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renter's household income. The market rent of a property is the amount the property could rent for in the private market, which is determined annually by an independent valuer.

A rental rebate is the discount amount the Director of Housing provides to eligible renters to reduce the household's weekly contribution towards their rent. The value of the rental rebate is the difference between 25% of the total assessable income of all household members and the market rent of the property. Renters must be eligible for the rebate and apply for it. If renters are not eligible or do not apply, then they are charged market rent.

For some properties, renters who receive a rental rebate may also be charged an additional service charge where water, electricity, gas, or other services are made available to them.

### 4.2. How we set Rental Rebates

A renter's rent payment amount depends on their household income. If the market rent of a social housing property or rooming house someone lives in is:

- **more than 25%** of your household income: the renter may be eligible for a rental rebate. Most renters in Wayss managed and owned properties will be eligible for a rental rebate.
- **less than 25%** of your household income: the renter will have to pay the market rent amount. Some renters in Wayss managed and owned properties pay the market rent amount.

Wayss calculates rent as follows:

Renter Age	Renter situation	Rent calculation
18+	No children	25% of household income
18+	Children	25% of household income + 15% of Family Tax Benefit A&B
18+	Working	25% of household income based on nett figure from last four weeks payslips
15-17	Receiving independent rate of Centrelink benefit	\$15.00 per week

Rent is administered in accordance with the provisions of the *Residential Tenancies Regulations 2021*. The amount of rebated rent that a renter is to pay is calculated from their income statement or three consecutive pay slips, in accordance with the policy set by Homes Victoria.

### 4.3. Rental Bonds

Wayss does not apply rental bonds in any of our Housing Programs.

### 4.4. Communication Regarding Rent Setting

Renters are advised how their rent is calculated at the time they sign their tenancy agreement with Wayss. Wayss is committed to ensuring its renters understand exactly what their rent charge is and how it is calculated at all times.

To provide good service, Wayss requires its renters to communicate clearly regarding any changes to their circumstances at any time. Wayss expects notification of any change of income and/or the household within 14 days of the change occurring to ensure Wayss renters continue to pay the correct amount and do not fall into rental arrears.

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### 4.5. Arrears

Wayss actively manages rent arrears. If a renter falls behind in their rent, a Wayss Housing Services Worker will contact them to discuss why they have not paid their rent. Please refer to our **Arrears Management and Hardship Policy** for more information on rent arrears.

### 4.6. Rent Reviews

It is the renter's responsibility to advise Wayss when their income changes, so that their rent (and where applicable rental rebate) can be re-calculated and adjusted. Notification of income changes can be made by the renter or their Support Worker.

Wayss regularly reviews the market rent for Rooming Houses, Wayss owned, and Council managed properties.

For most properties the market rent is reviewed each year (in accordance with the Residential Tenancies Act), which may result in a change to the rent amount. When this happens, renters are provided with information regarding the process and the outcome.

### 4.7. Rent Decreases

Wayss is aware that from time to time, its renters' household income encounters changes that may result in the rent amount payable decreasing for renters paying income-based rent. Renters can apply to have their rent reduced for a period of up to three (3) months if they are away from their property, are paying a fee for their accommodation and are in:

- a nursing home
- a rehabilitation centre
- respite care
- incarceration

The reduced rental amount will be \$15.00 per week. To be eligible for the reduced rent renters must provide evidence to Property Services that they are staying in one of the above places and paying a fee for their accommodation. Renters who are not paying a fee will be required to continue to pay their rent as normal during the absence. Any applications for a reduction in rent must be put in writing and will be reviewed by the Operations Manager, Property Services who will decide whether to approve the rent reduction and for how long. The maximum period for this rent reduction is three (3) months.

### 4.8. Overpayments

In cases of overpayment of rent by the renter, the renter can choose to either have the overpayment returned to them at the time of the overpayment, or at the end of their Residential Rental Agreement.

### 4.9. Financial Hardships

In cases of financial difficulties Wayss will assess each case on an individual basis, dependent upon the circumstances. The General Manager, Corporate Services will make the final decision on a renter's rent payments. . Please refer to our **Arrears Management and Hardship Policy** for more information on financial hardships.

### 5. Renter's Rights and Responsibilities

Renters are provided with information regarding their rights and responsibilities as a renter prior to, and when entering into their Residential Rental Agreement. Further information is available at:

<https://www.housing.vic.gov.au/>

<https://www.consumer.vic.gov.au/housing/renting>

<https://tenantsvic.org.au/>

Renters can expect to receive verbal and written information on what their rent payment is, how to pay and what processes Wayss will follow if they have rent arrears.

Renters have the responsibility to inform Wayss of any changes in their income which would alter their rent payments.

### 6. Complaints and Appeals

Wayss welcomes its renters to query any decisions it makes and/or ask questions about our work practices. If a renter wishes to provide feedback to Wayss and/or believes a decision made by Wayss is incorrect, the first step is to request that the complaint be reviewed, or that the decision be reconsidered by Wayss as per our **Client Feedback and Complaints Policy**.

### 7. Collection Statement

All personal information Wayss collects will be done in accordance with our **Client Privacy Policy**.

### 8. Review

Wayss will review this policy every three years or sooner if there are legislative changes, or Wayss receives feedback or complaints about service delivery that may impact on this policy.

### 9. Related Resources

#### 9.1. Standards and Frameworks

Performance Standards for Registered Housing Agencies

Victorian Charter of Human Rights and Responsibilities 2006

#### 9.2. Legislation

Australian Consumer Law

*Housing Act 1983* (Vic)

*Privacy Act 1988* (Cth)

*Privacy and Data Protection Act 2014* (Vic)

*Residential Tenancies Act 1997* (Vic)

*Residential Tenancies Amendment Act 2018* (Vic)

*Victorian Civil and Administrative Tribunal Act 1998* (Vic)

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### 9.3. Ways Related Policies and Documents

Arrears Management and Hardship Policy

Client Feedback and Complaints Policy

Client Privacy Policy

Eligibility and Allocations Policy

## 10. Change History

Date	Version	Summary of changes	Approver
31/03/2023	1.0	Initial re-draft	General Manager, Homelessness and Housing
24/04/2023	1.0	Draft Approved	CEO