

## HOT31 Modified Housing Requests

### Purpose

The purpose of this policy is to provide clear guidance on how YWCA Australia's housing subsidiaries are to manage requests for property modifications from tenants whose housing needs have changed. This policy enables YWCA's housing subsidiaries to meet the following regulatory standards:

- The registered agency has policies and procedures which strive to sustain tenancies.
- The registered agency establishes and maintains arrangements that are adequate to ensure tenants and residents with support needs receive appropriate support, if relevant and where available, to maintain their tenancies.
- The provider plans for how it will manage its housing assets to optimise outcomes on financial investment, service delivery and meeting housing needs.

### Scope

This policy applies to all YWCA staff involved in tenancy management. The process for YWCA staff involved in property management is set out in YWCA Housing's Procedure 2.1.7 Homes for Women with Disabilities.

The policy applies to both tenancy agreements and rooming house agreements. Unless stated otherwise, references to "tenancies" include rooming house residencies, and references to "tenants" include rooming house residents and the residents of a household other than the primary tenant.

### Background

YWCA Housing receives requests for modified housing in two ways: as part of an application for housing, and from existing tenants whose housing needs have changed.

Regarding the first category of requests, YWCA Housing's Policy 1.1.3 – Application & Allocation says that the management of housing stock will include matching people to houses and communities, and Procedure 1.1.7 – Assessing Requests and Allocating Housing sets out the process. Assessment criteria include the suitability of the property for the needs of the applicant, but YWCA Housing also takes into consideration whether special facilities or existing property modifications will be utilised to their maximum advantage. To assist in this decision-making process, YWCA Housing may request additional information from the applicant or their relevant support provider.

This Home Modifications Policy addresses the second category of requests, i.e. from existing tenants whose housing needs have changed.

# Policy Statement

When considering requests for home modifications, YWCA seeks to balance two key principles:

- responding to a tenant's changing housing needs is part of sustaining their tenancy; and
- YWCA's housing services must be managed within the constraints of YWCA's financial and human resources, the physical, contractual and legal limitations of the properties under management, and pursuant to YWCA Housing's rights and duties under residential tenancies law.

YWCA Housing has a commitment to sustainable tenancies. YWCA Housing considers a request from the tenant or their support provider for modifications to the property when the sustainability of the tenancy is impacted by the tenant's changing housing needs as a result of ageing, disability, or ongoing infirmity or other medical condition.

Tenants seeking home modifications are asked to complete YWCA Housing's Property Modification Request Form. If appropriate, YWCA Housing refers the tenant to a relevant service (e.g. Community Health Occupational Therapist, NDIS or LGA) to have the tenant's needs assessed, including what modifications are required for them to sustain their tenancy. YWCA Housing also takes into consideration any relevant assessment or instruction by the tenant's GP or other relevant health professional.

In making its decision on the request, YWCA Housing assesses whether the proposed modifications to the property are:

- documented – clearly supported by relevant professional opinion;
- necessary – without the modifications, the tenancy may not be sustainable;
- feasible – the modifications are physically possible without affecting the structural integrity of the property;
- reasonable – taking into account the asset management plan for the property (or, for properties leased to YWCA, the property management requirements under the lease agreement), the cost to YWCA Housing, the interests of the tenant (including their long-term needs and whether further modifications may be needed in the future) and the alternatives if modification is not approved.

YWCA Housing informs the tenant in writing of the final decision and, if not approved, the alternatives available to the tenant.

If the modifications are approved in principle but the costs are assessed as unreasonable, YWCA Housing liaises with the tenant and/or their support provider regarding alternative funding options such as the tenant paying for the modifications, or an external agency contributing to the cost e.g. through a program grant.

Where it's proposed that the approved modifications are to be funded by the tenant or an external agency, YWCA Housing enters into a written agreement with the tenant. The agreement is to stipulate who is responsible for undertaking the initial installation or related works, any additional approvals or contracts arrangements required, any ongoing maintenance (e.g. for installed equipment), and who is responsible for costs involved in removing the modifications and restoring the property to its original condition at the conclusion of the tenancy. If YWCA Housing assesses that the modifications would be of ongoing benefit to future tenants, the agreement may provide that restoration to the original condition at the conclusion of the tenancy is not required, but must specify

the arrangements regarding ownership of any equipment or materials that form part of the modifications.

In Victoria, residential tenancy reforms will come into effect by mid-2020 that allow a tenant to make certain prescribed minor modifications themselves without YWCA Housing's consent. Some other types of modifications such as disability modifications will require YWCA Housing's consent, but that consent cannot be withheld unreasonably. The tenant must then pay for the modifications themselves, using a suitably qualified person if appropriate, and YWCA Housing can request that the tenant pay the cost of restoring any changes. In some situations, a Restoration Bond can be required.

## Process Steps

1. If a concern about the sustainability of the tenancy is identified, discuss the tenant's needs with the tenant, give them a Property Modification Request Form, advise what documentation will be required, and if appropriate refer the tenant to a relevant support provider.
2. If it's likely that the current tenancy would become unsustainable without substantial property modifications, if necessary check with the PO whether such works would be feasible, and discuss with the tenant what alternatives are available (e.g. internal transfer, VHR Priority Access application for modified housing, etc).
3. On receipt of the Property Modification Request Form, check that each of the requested modifications is (a) clearly defined, and (b) identified as necessary, by a relevant health professional.
4. If the application is complete, forward it to the National Housing Operations Manager for a decision; otherwise, contact the tenant to advise what else is required before it can be considered.
5. If the application is not approved, arrange a meeting with the tenant to discuss other ways to sustain their tenancy, or refer the tenant for assistance in applying for modified housing elsewhere.
6. If the tenant is seeking consent to arrange for disability-related modifications at no cost to YWCA, the CHO completes Steps 3 and 4, and the NHOM assesses whether:
  - a) the request is reasonable;
  - b) a suitably qualified person to carry out the modifications is required and has been arranged;
  - c) the tenant will be required to restore the property on vacating; and
  - d) whether a Restoration Bond is required.

## Responsibilities

YWCA's National Housing Operations Manager has responsibility for approving home modifications within the parameters of the NHOM's delegated authority.

National Housing Operations Manager has responsibility for ensuring that:

- this policy is implemented and its application monitored,
- the policy continues to comply with relevant legislation, and
- this policy is reviewed to evaluate its ongoing effectiveness.

# Appendices

N/A

## Related Information

YWCA	Policy 1.3.1 Changing Needs of Residents
YWCA	Property Modification Request Form
YWCA	Procedure 2.1.7 Requested Modifications [in draft]
Legislation	Residential Tenancies Act 1997 (Vic)
Legislation	Residential Tenancies and Rooming Accommodation Act 2008 (Qld)
Legislation	Residential Tenancies Act 1999 (NT)
Standards	Housing Registrar (Vic): Performance Standards
Standards	NRSCH: Evidence Guidelines

### Document Control Data

#### Policy 1.3.4: Home Modifications

<b>Responsible Officer</b>	Director, National Housing
<b>Accountable Officer</b>	National Housing Operations Manager
<b>Application</b>	YWCA staff involved in tenancy management
<b>Supersedes</b>	"Policy 1.3.4 Home Modifications" and "Procedure 1.3.4 Home Modifications"

### Approved and Amendment history

### Approval and Amendment history

Review period – 2 years

Approval Date	Version	Amendments	Next review
	2.0		[1 year]