

Rent Setting Policy (Nesti)

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Purpose

This policy explains how Nesti Housing sets and reviews its Lodging Rents, as well as explaining how and why a Bond is charged. It also covers the responsibilities Nesti Housing Residents have whilst living in the accommodation.

Scope

This policy applies to tenants who sign a license to occupy for a Nesti Housing lodging room.

Policy Statement and Principles

Nesti Housing calculates the Rent using a percentage of an individual's Assessable Income, plus any Commonwealth Rent Assistance (CRA) the Applicant or Resident would be eligible for, plus the Lodging Services Fee. The percentage of income charged depends on the lodge in which the Resident will reside and the type of room that is being rented.

The Maximum Rent a Resident will pay is the Market Rent for their property at the point at which a Rent Assessment or review is completed.

Residents who are eligible to apply for a Centrelink payment but choose not to will be deemed to be receiving the relevant Centrelink payment. This means Nesti Housing includes the amount the Resident is entitled to claim, in the rent calculation, and Nesti Housing would encourage the Resident to apply for the deemed payments with Centrelink.

Maximum Rent

- Rents are a sum of the percentage of a Resident's income, CRA entitlement and the Lodging Services Fee. If that total exceeds the Market Rent amount for the property at the point at which a Rent Assessment or review is completed, the Resident will be charged the Market Rent amount (not the higher amount).

Utilities Charge

- As well as Rent, Nesti Housing charges Residents a fee for use of utilities at the property at which they reside. Most lodges are not separately metered, so the charge is calculated according to the total cost of utilities used at the property, over the last 12 months. This figure is divided by the number of rooms at the Lodge, divided by 52. This gives a weekly charge for each room.

Review of Rent

- Residents may request a Rent Review at any time and Nesti Housing will undertake that review. In the absence of any request/s for review by the Resident, Nesti Housing will usually review the Rent of every Resident on a six-monthly basis (currently in March and September).
- Nesti Housing may review the Rent earlier than every six months if a Resident's Assessable Income has changed.
- Residents are given 28 days' notice of any increase in their rent.

Residents' Responsibilities

- Residents must inform Nesti Housing if their income changes.
- Residents must give Nesti Housing details of their income when requested, so that Nesti Housing can review their Rent.

Under the Licence to Occupy, Residents have a legal responsibility to:

- pay the Rent and Utilities Charge due every fortnight, for the fortnight ahead; and
- pay other charges, such as charges for utilities or resident liability damage charges, when they receive an invoice for them.

Bonds

- The Bond is calculated as the cost of two weeks' rent. Applicants / Residents should pay the Bond at the sign-up meeting. Applicants may request to pay their bond in instalments and sign a repayment agreement, and Nesti Housing will assess these requests on a case by case basis.
- A key deposit is also charged to residents (which Applicants or Residents must also pay at the sign-up meeting). The key deposit will be returned when a vacating Resident returns the full set of any room or lodge keys or swipe cards to Nesti Housing.

Policy Context and Related Legislation

This policy should be read in conjunction with other associated Nesti Housing policies and procedures.

This policy recognises the legal and moral obligations of Nesti Housing, and it has been framed around the following:

Legislation

- *Corporations Act 2001* (Cth) (as amended 2022)
- *Mental Health Act 2014* (WA) (as amended 2022)
- *National Disability Insurance Scheme Act 2013* (Cth) (as amended 2022)
- *Occupiers' Liability Act 1985* (WA) (as amended 2015)
- *Privacy Act 1988* (Cth) (as amended 2022)
- *Property Law Act 1969* (WA) (as amended 2021)
- *Real Estate and Business Agents Act 1978* (WA) (as amended 2022)
- *Residential Tenancies Act 1987* (WA) (as amended 2022)

Codes, Frameworks and Standards

- Community Housing Regulatory Framework
- National Affordable Housing Agreement
- National Community Housing Standards
- National Disability Insurance Scheme Quality and Safeguarding Framework 2016
- National Regulatory Code
- National Standards for Out-of-Homecare 2011
- Supportive Landlord Services Framework
- Western Australian Community Housing Regulatory Framework

NDIS Rules

- National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020

NDIS Guidelines

- National Disability Insurance Scheme (Registered NDIS Provider Notice of Changes and Events) Guidelines 2019
- National Disability Insurance Scheme (Procedural Fairness) Guidelines 2018

Responsibilities

- Nesti Housing is responsible for complying with the spirit of this policy and ensuring that all employees of Nesti Housing act in good faith and in accordance with this policy.
- Managers are responsible for monitoring compliance with this policy and reviewing this policy to ensure that it is operating effectively.
- All employees are responsible for:
 - acting in good faith and complying with the Customer Service Guide, the Nesti Housing culture, this policy; and
 - acting ethically and with integrity, honesty, and transparency always.

Concise Summary of Key Changes Made in This Review of Document

This is a new Policy.

Monitoring, Review, and Evaluation

This policy will be reviewed every three years. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy shall be reviewed immediately and amended accordingly. This process will include the following.

- Ad hoc review and evaluation of current practices
- Periodic self-assessment
- Internal Audits
- External Audits

Nesti Housing will record and monitor progress of any improvements identified and feed that into service planning and delivery processes.

Breaches of the Rent Setting Policy

Any breaches of the Rent Setting Policy could constitute a possible act of misconduct. Reference is accordingly made to Employee Discipline and Termination Policy which outlines the relevant processes that may be followed if misconduct is suspected.

Authorisation Template

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