

# Emergency Accommodation

## Policy

Date effective: 18 November 2016

### 1. Purpose

To explain how the Department of Housing and Community Development ('the Department') will charge public housing tenants who become occupants of temporary accommodation that is provided in response to emergency and disaster situations.

### 2. Scope

This policy covers public housing tenants who are housed in temporary accommodation (such as demountable type dwellings) following an emergency or disaster situation.

This policy does not cover public housing tenants who are transferred (either temporarily or permanently) to existing permanent dwelling types such as houses, flats, units or apartments as a result of an emergency or disaster situation.

This policy does not cover any periods during which public housing tenants are temporarily housed in emergency communal shelters or in tent facilities.

### 3. Policy

#### 3.1. Accommodation

The Department will, wherever practicable, provide emergency accommodation for public housing tenants whose dwellings are destroyed or rendered uninhabitable as a result of an emergency or disaster situation. The arrangements for temporary emergency accommodation are not governed by the *Residential Tenancies Act* (see section 6(1)(f) of the Act).

#### 3.2. Emergency Accommodation Levy

The Department will charge occupants who are housed in emergency accommodation an Emergency Accommodation Levy based on the Department's maintenance levy. Current maintenance levy rates are outlined in the table below:

Bedrooms	1	2	3	4+
Levy per week	\$90	\$105	\$138	\$150

The Department may enter arrangements with one or more occupants for each temporary dwelling. This means that the Department may choose to enter into an arrangement with just one person who takes responsibility for the whole household, or may enter several arrangements with different people for the same temporary dwelling. However, the total levy charged for each household, regardless of the number of arrangements, will not exceed the current maintenance levy rate of a four bedroom dwelling.

Occupants who are housed in temporary emergency accommodation will not pay rent for the public housing dwelling they have vacated.

### **3.3. Utilities**

The Department is responsible for ensuring the dwellings are connected to an electricity source and safe water supply. Occupants are responsible for any usage costs of utilities as charged by the utilities provider. These costs are to be paid directly to the utility provider.

### **3.4. Cleanliness and damage**

Occupants of temporary emergency accommodation must maintain the dwelling in a reasonably clean condition, allowing for reasonable wear and tear.

Occupants must not intentionally or negligently cause or permit damage to the dwelling. Occupants must notify the Department of any damage, other than negligible damage.

At the end of their occupation of the temporary emergency accommodation, occupants must give the dwelling back to the Department in a reasonable state of repair and in a reasonably clean condition, allowing for reasonable wear and tear.

The occupant is responsible for any intentional or negligent damage to the dwelling.

## **4. Eligibility**

### **4.1. Affected tenants**

This policy applies to tenants whose public housing dwelling has become uninhabitable due to an emergency or disaster situation.

Occupants need to be lawful existing tenants of public housing at the time of the emergency or disaster situation to be offered temporary emergency accommodation.

### **4.2. Returning to permanent public housing**

When permanent dwellings have been repaired or rebuilt, the Department will assess applications for public housing based on the Eligibility for Public Housing policy and allocate tenants based on the Allocation and Commencement of a Tenancy policy. Tenants who were displaced by the emergency or disaster situation will, if they remain eligible for public housing, be allocated rebuilt, repaired or vacant public housing dwellings before other applicants on the waitlist. Of those who were displaced by the emergency or disaster, tenants with special needs, families with children and seniors may be given preference to return to permanent public housing.

## **5. Timeframes**

The Department will make every reasonable effort to move occupants from temporary emergency accommodation back into permanent dwellings as quickly and safely as possible. While occupants remain in temporary emergency accommodation, this policy applies.

## 6. Payment

Levy payments can be made using the same methods tenants ordinarily use when housed in their permanent dwelling.

## 7. Discretionary decision making

Discretion can be applied to this policy using the Discretionary Decision Making policy. In particular, the Department will exercise discretion when deciding how many occupants within each dwelling should enter into an agreement and when deciding which occupants will be allocated to each repaired, rebuilt or vacant public housing dwelling.

## 8. Complaints and/or appeals

If a client is not satisfied with either a decision or action of the Department, they can access the Department's complaints and/or appeals processes. For further information, please refer to the Complaints and/or Appeals policies.

## 9. Review of the policy

If at any time the legislative, operating or funding environment is so altered that the policy is no longer appropriate in its current form, the policy shall be reviewed and amended accordingly. This policy will be reviewed within two years of release.

## 10. References

### Legislation

*Housing Act*

*Residential Tenancies Act*

### Policies

Allocation and Commencement of a Tenancy policy

Appeals policy

Complaints policy

Discretionary Decision Making policy

Eligibility for Public Housing policy

## 11. Document change control table

Release Date	Version Number	Approved by (position)	Section amended	Category
18/11/2016	1.01	Director Policy	all	Editorial amendments
13/08/2015	1.00	Chief Executive Officer	all	New