

# Housing Assistance Public Rental Housing Assistance Program (Housing Needs Categories) Determination 2011 (No 1)

Notifiable Instrument NI2011 - 189

made under the

**Housing Assistance Act 2007 s 20(1)** Approved housing assistance programs—determinations

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**1. Name of instrument**

This instrument is the Housing Assistance Public Rental Housing Assistance Program (Housing Needs Categories) Determination 2011 (No 1).

**2. Commencement**

This instrument commences on the day after notification.

**3. Revocation**

Subject to section 20(1) and in accordance with the Housing Assistance Public Rental Housing Assistance Program (the Program) I REVOKE the determination notified on 12 August 2010 (NI2010 – 453).

**4. Determination**

Subject to section 20(1), and in accordance with the Housing Assistance Public Rental Housing Assistance Program 2010 ("the Program") I DETERMINE the following needs categories and allocation criteria:

## **PUBLIC AND COMMUNITY HOUSING APPLICANTS**

<b>Needs Category</b>	<b>General Description</b>	<b>Needs Category typically includes, but is not limited to, applicants who are/have:</b>
<b>Priority Housing</b>	<i>Applicants must demonstrate exceptional, urgent and critical needs that cannot be</i>	Able to demonstrate a range of complex needs with evidence of significant risk factors that would be addressed or substantially alleviated through the early allocation of social housing, including: <ul style="list-style-type: none"><li>• primary or secondary homelessness, including</li></ul>

*resolved by any reasonable means other than the early provision of social housing.*

- clients exiting specialist homelessness services; incarceration in a corrective services facility, or mental health or other health facility;
- families with children, especially children who have experienced multiple housing moves and/or have school based remediation needs and children aged up to five years in large multi unit properties
  - formally diagnosed mental health issues, including the effects of past trauma and torture;
  - other serious and chronic health issues;
  - disability including frail-aged, where natural supports have broken down, or are at serious risk of breaking down;
  - Aboriginal and/or Torres Strait Islander persons and families having difficulty accessing private rental accommodation and facing complex issues;
  - women with or without children escaping domestic violence;
  - children at risk of abuse or neglect.

#### ***Supplementary principles***

- An applicant with a single risk factor may be considered for inclusion if that factor is assessed as being extremely critical or detrimental in relation to their well-being or that of their family.
- An applicant must also demonstrate an inability to find appropriate and affordable housing on the private market; for this purpose rent on the private market will be deemed unaffordable where it exceeds 50% of household income.
- Inclusion will be confined to applicants who are currently capable of independent living and with the capacity to undertake a housing tenancy to address their longer term housing needs. A clear distinction will be made between applicants who meet these requirements and those for whom crisis or short-term housing is more appropriate to their needs.

### **High Needs Housing**

*Applicants must demonstrate significant needs that cannot be*

Able to demonstrate one or more risk factors that would be addressed or substantially alleviated through the provision of social housing, including:

*resolved by any reasonable means other than the provision of social housing within a reasonable timeframe. This includes significant affordability issues in obtaining housing on the private market.*

- existence of one or more of the risk factors identified for the priority housing category but to a degree that does not justify admission to that category;
- experiencing private rental barriers such as extreme affordability problems, or demonstrable and ongoing discrimination;
- having a need for housing that addresses special needs such as a disability or a chronic medical condition that cannot be reasonably catered for through the private housing market;
- living in overcrowded conditions, placing children at an identifiable risk.

**Standard Housing**

*Applicants facing significant affordability issues in obtaining housing on the private market*

- Incomes within the income eligibility criteria specified in clause 9 of the Public Rental Housing Assistance Program

**Operation of Priority Housing Category**

Public housing and community housing applicants will be placed and/or ranked for the allocation of assistance in the priority housing category by a multi-disciplinary panel which will assess the applications taking into account the factors set out in that category.

For the purpose of limiting the provision of housing assistance to those most in need, inclusion in the priority housing category will be targeted so that no more than 150 public housing applicants and no more than 50 community applicants are placed in the priority housing category at any one time.

Public housing applicants are to be allocated assistance from the priority housing category on a needs basis (rather than a chronological basis).

**Operation of the Priority Housing, High Needs Housing and Standard Housing Categories (community applicants)**

Community housing applicants are to be identified in a manner consistent with the Housing Assistance Public Rental Housing Assistance Program (Facilitation of Community Rental Housing Assistance) Operation Guideline 2010 (No 1).

## Interpretation

For the purposes of this Determination:

- **primary homelessness** relates to people who have no shelter, sleep rough, live on the streets, in cars, under bridges or in impoverished dwellings;
- **secondary homelessness** relates to people who frequently move from various forms of temporary accommodation such as emergency accommodation, or short-term accommodation with friends and relatives.
- **overcrowded conditions** relate to households that have two or more bedrooms less than the number they are eligible for, based on the Housing Size Guidelines.

Dated this 16th day of March 2011

Martin Hehir  
Commissioner for Social Housing