

Disability Modification Policy

Purpose

The purpose of this Policy is to enable Housing Trust residents with disabilities, injury, illness or other particular needs to remain living in their current home wherever possible and to ensure that the Housing Trust meets its legal obligations as set out in the Residential Tenancies Act 2010 (NSW), Disability Discrimination Act 1992, the Disability Inclusion Act 2014 and the National Disability Insurance Scheme (NDIS).

Policy

This Policy is applicable for any tenant wishing to have their current home modified to ensure that they and their household can continue to live in their home following a change in life circumstance. It also applies to incoming tenants or members of their household who need modifications before they are able to occupy the property.

Modification Requests

A request for a modification may be made in person or by phone, however it must be confirmed in writing and must be supported by a health care professional (a medical certificate will suffice for a minor modification costing up to and including \$1,500 excluding GST and an Occupational Therapist Report for modifications costing over \$1,500 excluding GST).

Modification requests when received in writing will be formally acknowledged by the Housing Trust in writing within three (3) working days of receipt.

Refer to Housing Trust's Disability Modification Procedure

Our Commitment

Assuming the requirements above have been met, that it is physically possible to alter the building and it is economically feasible to do so, the Housing Trust will undertake and fund the necessary work. It should also be noted that where a tenant is living in a property rented from the private market, permission from the landlord is required. In such circumstances the Housing Trust would manage these discussions as the lessee.

Timeframe

The request for modifications will be assessed by a delegated Housing Trust employee and the decision notified to the tenant in writing within twenty eight (28) working days of the Housing Trust receiving all supporting evidence.

When modification is not possible

Where modification is not feasible, the Housing Trust will work with the tenant and any nominate healthcare professional or support person to consider suitable alternative solutions. This may include the tenant transferring to an alternative Housing Trust property or to another social housing provider under the Housing Trust Transfer Policy.

Ownership of the modifications

Any modifications undertaken and funded by the Housing Trust will remain the property of the Housing Trust at the termination of the tenancy. Where the household member requiring the modifications moves out of the property the Housing Trust will discuss options to rehouse the remaining occupants so that another household with a member living with a disability, injury, illness or other particular needs can take advantage of the modifications.

Right of Appeal

If a tenant believes the Housing Trust has made a wrong decision in relation to a modification request a formal review of the decision should be requested. To do this, the tenant is required to complete a Housing Trust Appeals Form stating why they disagree with the decision. Housing Trust's Appeals Policy and Form is available by contacting the Housing Trust office or alternatively, may be downloaded from our website: www.housingtrust.org.au

If the appellant is not satisfied with the outcome of the internal appeal they can make an appeal to the Independent Housing Appeals Committee (HAC). HAC is an independent appeals agency for all NSW Social Housing clients. Housing Trust will advise the appellant on how to lodge an appeal with HAC. Alternatively HAC may be contacted directly by visiting www.hac.nsw.gov.au or by calling 1800 629 794.

Reference or Related Documents

Internal Documents

1. Disability Modification Procedure
2. Form 106004 Receipt of Complaint or Request for Compensation or Request for Modification Acknowledgement
3. Housing Transfer Policy
4. Housing Transfer Procedure – Management Initiated
5. Housing Transfer Procedure – Tenant Initiated
6. Appeals Policy
7. Form 106001 Review of decision and 1st tier appeal

External Documents

1. Residential Tenancies Act 2010 (NSW)
2. Disability Discrimination Act 1992
3. Disability Inclusion Act 2014
4. National Disability Insurance Scheme (NDIS)

Policy Version Control

Version	Details of Improvements	Release Date	Approval/Release Details
V 1.0	New Policy	23.11.2016	Approved for release by Chief Executive Officer
V 2.0	Revised and updated policy in line with current business practices and Acts. Reference to the Disability Inclusion Act 2014 and National Disability Insurance Scheme (NDIS) have been added to this policy. Board approved 26.11.2018	26.11.2018	Approved for release by Michele Adair Chief Executive Officer