

HARDSHIP AND TEMPORARY ABSENCE POLICY

1. Why we need this policy

- 1.1 The purpose of this policy is to outline how Launch Housing aids renters experiencing significant financial hardship.
- 1.2 This includes hardship where renters are required to be temporarily absent from their property and special consideration is required to help sustain their tenancy.

2. Who this policy applies to

- 2.1 This policy applies to renters in all Transitional, Long-Term, and Affordable Housing properties owned or managed by Launch Housing.
- 2.2 This policy applies to Launch Housing staff managing these properties.

3. Which Launch Housing properties this policy apply to

- 3.1 This policy applies to Transitional, Long-Term, and Affordable Housing properties owned and managed by Launch Housing.
- 3.2 This policy does not apply to the following housing programs managed by Launch Housing:
 - i. Temporary or Crisis Supported Accommodation;
 - ii. Education First Youth Foyers.
 - iii. properties managed by HomeGround Real Estate.

4. What this policy includes

4.1 Guiding principles

- 4.1.1 Where circumstances change and there is an ongoing reduction in household income, renters may seek a rent review in line with Launch Housing's *Rent Setting Policy*.
- 4.1.2 In special circumstances where renters face financial hardship that places their tenancy at risk and they are unable to meet their rental obligations, Launch Housing will consider applying a temporary reduction in rent.
- 4.1.3 In applying this policy Launch Housing will ensure:
 - i. Renters experiencing financial hardship are treated with sensitivity;
 - ii. Where a tenancy is at risk, intervention will occur as early as possible to attempt to rectify any issues;
 - iii. Consistent, fair, and accountable processes are followed, and renters are provided with information about processes that impact their tenancy;
 - iv. Proper consideration is given to the human rights of renters under the Charter of Human Rights and Responsibilities Act 2006 (Vic) (Charter);
 - v. A commitment to respond to matters that may be family violence related, that is trauma informed and promotes the wellbeing and safety of renters and their families;
 - vi. All contractual, legal, and regulatory duties are met.

4.2 Financial hardship

- 4.2.1 Financial hardship occurs when a renter is unable to pay their rent without impacting on their ability to meet their basic living needs, this may be due to:
 - i. Unavoidable and significant new or increased expenses (e.g., non-Pharmaceutical Benefits Scheme (PBS) medications or hire of expensive medical equipment where no external funding such as National Disability Insurance Scheme (NDIS) is available);
 - ii. Family violence;
 - iii. A medical emergency;
 - iv. A temporary and unexpected reduction in income;
 - v. Natural disasters such as bushfires or flood;

- vi. Incarceration;
- vii. Other significant and unexpected financial circumstances

4.3 Temporary absence

- 4.3.1 A temporary absence is when a renter is required to be absent from their property for a short period of time, generally from six (6) weeks up to a maximum of six (6) months. In exceptional circumstances, the period of absence may be extended beyond six (6) months.
- 4.3.2 Where a renter is required to pay for temporary accommodation (e.g., respite, rehabilitation and nursing homes) or will not have access to their regular statutory income (e.g., during a period of incarceration) they can apply for a reduction to the weekly rent amount payable.
- 4.3.3 Note that holidays are not considered a temporary absence and are not covered by this policy; rent must still be paid during absence due to a holiday, as per Launch Housing's *Rent Arrears Policy*.

4.4 Application process

- 4.4.1 Renters must inform Launch Housing as soon as their circumstances change and complete a Hardship Application Form.
- 4.4.2 Renters seeking support for financial hardship must also provide adequate documentation that shows how the hardship occurred, how the hardship impacts the renter's ability to pay rent, when the hardship began, and how long it is expected to continue.
- 4.4.3 Types of documentation include:
 - i. Letters from support services or financial counsellors;
 - ii. Confirmation of loss of income i.e. Separation Certificates etc;
 - iii. Any other evidence of financial hardship.
- 4.4.4 Renters seeking support for temporary absence must provide:
 - i. The entry and exit date of temporary accommodation;
 - ii. Confirmation of payment of fees;
 - iii. Confirmation they will not be receiving their regular statutory income.
- 4.4.5 Renters are encouraged to notify Launch Housing of a temporary absence as soon as possible and will be given four (4) weeks to provide documentation in support of their temporary absence. During that time, Launch Housing will not take steps to issue a Notice to Vacate for rent arrears and if approved will backdate any support or temporary absence to the date the notification was received.

4.5 Referrals

- 4.5.1 Where a renter has already engaged with a financial counselling service or support service, any financial plans or assistance should be provided as evidence to support an application for hardship.
- 4.5.2 Where financial support is not already in place, renters will be supported to engage with services that can assist to stabilise their circumstances such as financial counselling services or other support services. Launch Housing will assist the renter with referrals to these services.

4.6 Assessment and outcomes

- 4.6.1 Applications for hardship will be assessed on a case-by-case basis, based on the information and evidence provided in the application, with consideration given to the renter's human rights.
- 4.6.2 Launch Housing will advise the renter of the outcome in writing within ten calendar (10) days.
- 4.6.3 Assessment includes (but is not limited to):
 - i. Whether the renter is absent due to special circumstances;
 - ii. Any previous temporary absence period or hardship support, including frequent temporary absences (excluding special circumstances);
 - iii. Renter or household history, including any complex tenancy issues;
 - iv. The involvement of other programs, for example child protection;
 - v. Any renter or household issues relevant to the decision;

- vi. Evidence of unexpected and significant additional financial costs;
- vii. Evidence of significant medical costs not covered by external funding;
- viii. Approximate length of incarceration with the aim of avoiding renters exiting prison into homelessness.
- ix. Making decisions based on what is fair and reasonable, balancing the interests of the resident with Launch Housing’s financial viability, legal and regulatory obligations.

4.6.4 In line with human rights considerations under the Charter, the renter and their household’s human rights may be impacted by a decision. The individual circumstances and consequences for the household which may result from the proposed action will be taken into consideration. For example, whether non-approval creates severe hardship for the household, negatively impacts the family unit, their ability to practice their culture and religion, impact their mental health, or result in an eviction in homelessness.

4.7 Rent reduction

- 4.7.1 Where significant hardship has been established (either financial hardship or hardship due to temporary absence), Launch Housing may reduce rental payments for an agreed period.
- 4.7.2 The rent reduction will apply until either:
 - i. The renter returns to the property,
 - ii. The renter is no longer experiencing financial hardship,
 - iii. The maximum period of approved absence from property has passed.
- 4.7.3 Where a renter is absent for longer than six (6) months, and an extension has not been approved, Launch Housing may take action to regain possession of the property, as per Launch Housing’s *End of Tenancy Policy*.

5. Who is responsible for this policy

Who is responsible	Key activities
Launch Housing	<ul style="list-style-type: none"> • Supporting renters through financial hardship.
Renters	<ul style="list-style-type: none"> • Engage with Launch Housing as early as possible when experiencing financial hardship and or temporary absence is required. • Provide any requested documentation in a timely manner.

APPENDIX: ADMINISTRATION

6. Definitions

Term	Definition
Financial hardship	Hardship is where unforeseen events occur that fundamentally place a renter's tenancy at risk due to an unavoidable change in financial position and an inability to pay agreed rents.
Income earning household member	Any member of the household who earns an income from any source including but not limited to wages, salary, Centrelink benefits, and compensation payments.
Separation certificate	A document issued by the government to show basic details about someone's employment. Details include period of employment, final pay, reason for termination and how much they were earning when they left.
VCAT	Victorian Civil and Administrative Tribunal. A legal institution set up to administer several Acts. For residential tenancies, the Tribunal administers the Residential Tenancies Act 1997 (Vic).
RTA	Residential Tenancies Act 1997 (Vic). The principal legislation governing rental housing in Victoria.

7. Relevant Launch Housing policies

Name	Description
Client / Renter Complaints, Feedback and Appeals Policy	Details Launch Housing's policy and process for managing feedback, complaints and appeals made by clients, renters and stakeholders.
End of Tenancy Policy	Details Launch Housing's arrangements, processes and considerations for ending tenancies.
Rental Arrears Policy	Details Launch Housing's approach to managing a tenancy when a renter falls behind in their regular rent payments.
Rent Setting Policy	Details how rent is determined for Launch Housing renters.

8. Legislation

This policy meets the following legislative requirements:

Name	Description
Charter of Human Rights and Responsibilities Act 2006 (Vic)	Legislation that protects 20 civil, political, and cultural rights and imposes obligations on Parliament, courts, and public authorities.
Housing Act 1983 (Vic)	Legislation for housing law, which seeks to improve housing administration in Victoria.
Residential Tenancies Act 1997 (Vic)	Legislation that regulates the rights and obligations of landlords and tenants in Victoria.

9. Regulatory / accreditation standards

This policy meets the following regulatory and/or accreditation requirements:

Standard	Standard reference
Housing Registrar Performance Standards	Standard 1: Tenant and housing services (Determining and managing eligibility, allocation, and termination of housing assistance; Facilitating access to support for social housing applicants and tenants with complex needs)

10. Amendments to this Policy

This policy may be amended, terminated or replaced at Launch Housing's discretion. This policy will be reviewed, and updated as required, on a periodic basis.

In the event any related State or Commonwealth legislation changes, the legislation/directions will prevail to the extent of any inconsistency with this policy.

Amendments			
Date last approved:	11/10/2024	Date of effect:	11/10/2024
Date last amended:	02/10/2024	Date of next review:	11/10/2026
Owner:	Group Manager, Housing Services	Approver:	Executive Director, Housing Solutions
Audience:	Renters in all Long-Term properties owned or managed by Launch Housing, and staff managing these properties.		

11. Version Control

Version	Effective Date	Amended by	Approved By	Amendment
V1.0	30/4/2019	General Manager, Keeping Housing	General Manager, Keeping Housing	First Version
V2.0	29/03/2021	General Manager, Keeping Housing	General Manager, Keeping Housing	Amended terminology as per RTA Changes.
V3.0	11/10/2024	Group Manager, Housing Services	Executive Director, Housing Solutions	Updated guidelines.