

Arrears Management

Purpose

This policy provides a clear framework for the management and collection of rent and non-rent charges in accordance with the [NSW Residential Tenancies Act 2010](#).

Scope

This policy applies to all tenants and former tenants of Bridge Housing and all its related entities (we, our, us).

Overview

Tenants living in properties we own or manage are required to pay tenancy charges. These charges may include rent, water usage, bonds, tenant recharges due to expenses that are the responsibility of the tenant. These can include locksmith charges, pest control, repairing damages and other costs by agreement., and debts from a former tenancy.

In accordance with the Residential Tenancy Agreement, tenants are legally responsible for ensuring that their rent and non-rent is paid in full when due. This means that tenants should not have a negative balance on their rent or non-rent account at any time.

Arrears are a debt owed to us as a result of a tenant failing to make the required rent and non-rent payments, constituting a breach of the Residential Tenancy Agreement.

We will take a fair and consistent approach when dealing with rent and non-rent arrears. Our staff will work proactively with tenants to address any underlying issues impacting on their tenancies to ensure, that where possible, tenants do not lose their tenancy through non-payment of rent or non-rent.

Policy

Our overall approach for the management and collection of rent and non-rent charges is detailed below.

When a tenant's account falls into arrears, action is immediately commenced to prevent further debt. To avoid arrears, we closely monitor accounts on a weekly basis and contact tenants if they fall into arrears, with a view to clearing the debt as soon as possible.

When a tenant's account is in arrears, depending upon their individual circumstances, and the legislative requirements of the *NSW Residential Tenancies Act 2010*, we will take a range of actions. These actions may include:

- Negotiating a repayment plan
- Transferring credit between rent and non-rent accounts where credit is available
- Referral to financial counselling and support
- Obtaining a Specific Performance Order (SPO) through the NSW Civil and Administrative Tribunal (NCAT) when the rent account is more than 14 days in arrears
- We will only seek termination of a tenancy and eviction at NCAT where all other actions have been tried and failed or a tenant repeatedly is unable to keep to a repayment plan or SPO.

Assisting tenants to meet their financial responsibilities

We will keep tenants informed and up to date about their rent account. We will do this by:

1. Promptly notifying them when accounts go into arrears
2. Sending out regular rent statements
3. Providing rent statements when requested by a tenant
4. Undertaking rent reviews.

We promote a positive payment culture in the following ways:

- At tenancy sign-up and other key contact points, we remind tenants of the importance of meeting their responsibility for paying their rent and non-rent charges in full.
- We provide a range of simple and efficient payment options, including payment via [Centrepay](#) and online via the [My Bridge tenant portal](#) or [BPoint Payment](#).
- Transferring credit between rent and non-rent accounts to balance accounts where we have consent.
- We provide tenants with their Housing Manager's contact details to enable them to discuss their rent or other tenancy charges.
- Where appropriate, we will refer tenants to other agencies that provide a range of financial support and services including Centrelink.

Early intervention

We use an early intervention approach to prevent debt from becoming unmanageable for tenants. Our staff will proactively monitor all rent and non-rent accounts, and we encourage tenants to speak to their Housing Manager before they get into difficulty with their payments. We will contact tenants as soon as they go into arrears using SMS, phone calls, letters, email and home visits where required. For more information see our [Tenant Wellbeing Policy](#).

Support, advice and referral

We acknowledge that tenants may sometimes face difficulties paying their rent and non-rent charges. Where appropriate, we will refer tenants to financial advice and services. In a supported tenancy, we will discuss the arrears with the tenant and their support agency, with a view to developing a strategy to clear any debts.

Formal NCAT action

Where the debt is large or rising and we are in contact with the tenant, we will apply to the NCAT for an SPO. We will do this even if there is a repayment plan to formalise it. Where a tenant does not make contact or fails to comply with an SPO we will seek an order to terminate the tenancy.

We will only evict a tenant for arrears when alternative actions have been tried and failed or a tenant frequently makes late payments.

Debt owed at the end of a Bridge Housing tenancy

When a tenant moves out of one of our properties and the tenancy ends, all payments and charges relating to the property will be calculated and a final account produced. If there is an outstanding debt at the end of the tenancy, we will, with the tenant's permission, use any credit balance on a tenant's account or the bond.

Managing outstanding debt following a tenant transfer

If a tenant continues to be housed by Bridge Housing (for example they have been transferred) any outstanding debts owed on the former tenancy will be linked to the new tenancy.

Under Section 140 of the *Residential Tenancies Act 2010*, tenants must enter into an arrangement with us to repay the former tenancy debt. Where there are outstanding debts from a former tenancy and the tenant fails to repay or continue a repayment agreement, we will apply to the NCAT for a SPO or termination of the tenancy as appropriate.

Managing debts for former Bridge Housing tenants

We will proactively work with former tenants to reduce their debt levels.

We will follow Housing Pathways' Social Housing Eligibility and Allocations Policy guidelines for former tenants (see Allocations Policy). The policy can be found at www.housingpathways.nsw.gov.au.

Appeals and Review of Decision

If you have any queries about your account, the first step is to contact your Housing Manager on 8324 0800.

If a tenant is not satisfied with a service we have provided or does not agree with a decision we have made, they can ask for a formal review. Our [Compliments, Complaints and Appeals Policy](#) outlines the ways for tenants to make an appeal. This policy, and a helpful information brochure, is available from our office or it can be downloaded from our website www.bridgehousing.org.au.

If a tenant is unhappy with the outcome of the appeal, they can lodge a second level appeal with the Housing Appeals Committee. The Housing Appeals Committee is an independent agency that reviews certain decisions made by staff of Community Housing organisations and Housing NSW. For information on the Housing Appeals Committee call 1800 629 794 or go to www.hac.nsw.gov.au.

Related Documents and Resources

Type	Title
Legislation	NSW Residential Tenancies Act 2010
Policy	Rent Policy
Policy	Water Charging Policy
Policy	Tenant Recharge
Policy	Compliments, Complaints and Appeals Policy
Form	Centrelink eServices Consent Form
Form	Centrepay Deduction Authority
Form	Non-rent Account Authorisation

English

If you need help to understand this letter please contact the Telephone Interpreters Service on 131450 and ask them to contact on 8324 0800 for you at no cost. You can also come to the Bridge Housing office and ask for assistance in your language.

Simplified Chinese

如果您理解这封信有困难, 请拨打电 话传译服务 131450 要求电话传译 服务替您拨打 Bridge Housing, 电话 8324 0800。这项服务是免费的。您也可以到 Bridge Housing 的办公室来。 要求用您的语言来协助您。

Spanish

Si necesita ayuda para entender esta carta, por favor comuníquese con el Servicio Telefónico de Intérpretes al 131450 y solicite que lo contacten sin cargo con Bridge Housing al 8324 0800. También puede dirigirse a las oficinas de Bridge Housing y solicitar asistencia en su idioma.

Russian

Если для понимания содержания этого письма Вам необходима помощь, свяжитесь, пожалуйста, с Телефонной переводческой службой по номеру 131450 и попросите соединить Вас с Bridge Housing по номеру 8324 0800. За соединение платить не нужно. Кроме того, Вы можете лично посетить офис Bridge Housing и попросить об услугах переводчика.

Greek

Εάν χρειάζεστε βοήθεια για να κατανοήσετε την παρούσα επιστολή, παρακαλώ επικοινωνήστε με την Υπηρεσία Τηλεφωνικών Διερμηνέων στο 131450 και ζητήστε τους να επικοινωνήσουν με το 8324 0800 για εσάς χωρίς καμία χρέωση. Μπορείτε επίσης να επισκεφθείτε το γραφείο Bridge Housing και να ζητήσετε βοήθεια στη γλώσσα σας.

Vietnamese

Nếu cần người giúp để hiểu thư này xin quý vị liên hệ với Dịch Vụ Thông Ngôn Điện Thoại số 131450 và nhờ họ liên lạc với Bridge Housing qua số 8324 0800 cho quý vị một cách miễn phí. Quý vị cũng có thể đến Văn Phòng của Bridge Housing và xin giúp đỡ bằng ngôn-ngữ của quý-vị.

Arabic

إذا احتجت إلى مُساعدة في فهم هذه الرسالة رجاء الاتصال مع خدمة الترجمة الهاتفية على رقم 131450 واطلُب منهم أن يتصلوا لك بِمَكْتَب على رقم 8324 0800 بدون تكلفة عليك. ويُمْكِنك أيضا الحضور إلى مُكْتَب Bridge Housing وطلَب المُساعدة بلُغَتك.