



Bedroom Tax Facts

What to do if Housing NSW asks you to move

As of 26 July, 2013, Housing NSW has had a policy of requiring some Housing NSW tenants who have spare bedrooms to move to a smaller property. If a tenant refuses to accept two reasonable offers made by Housing NSW, or advises Housing NSW they will not move, Housing NSW will charge an additional amount. A single person will be charged an extra \$20 per week, and if the household is a couple, or larger, the charge is \$30 per week. These extra charges are called the 'vacant bedroom charge', commonly known as the 'bedroom tax'.

The bedroom tax is not applicable to community housing tenants or tenants in Aboriginal Housing Office properties. It only applies to public housing tenants.

Housing NSW will give tenants two alternative offers of social housing to move to. A tenant will only be charged the bedroom tax if:

- they refuse outright to move , or
- they refuse two reasonable offers of alternative housing.

How many bedrooms am I allowed to have?

Below shows how many bedrooms a tenant has a right to. If you fit into any of these categories, you will **not** be subject to the bedroom tax policy.

Household type	Standard bedroom entitlement
Single people	Studio, one or two bedrooms
Couples	One or two bedrooms
Single people or couples with one other household member	Two or three bedrooms
Single people or couples with two other household members	Two or three bedrooms
Single people or couples with three other household members	Three or four bedrooms
Single people or couples with four other household members	Three or four bedrooms
Single people or couples with five or more other household members	Four bedroom or, if available, five or more bedrooms. Clients who have a five bedroom household complement will generally be offered a four bedroom property unless a five bedroom property is vacant when applicant is selected from the register.

Doesn't my lease give me security of tenure for my home?

In short, no. Housing NSW is allowed to move residents for portfolio or tenancy management purposes. The bedroom tax policy constitutes a 'tenancy management purpose'.

What is a 'reasonable offer'?

Housing NSW will offer a property in your allocation zone, unless you request a different allocation zone. The property must also meet your accessibility and bedroom requirements. As allocation zones cover a number of suburbs and towns, this means that you may not be rehoused in your same suburb or town.

What if I don't want to move?

Even if you don't want to move, you are better off financially agreeing to see two offers before refusing to move. This is because Housing NSW cannot charge you the bedroom tax until you have refused two offers of reasonable housing or refused outright to move.

Many allocation zones have limited numbers of dwellings, so it is likely that tenants who are asked to move will have to wait some time before an acceptable alternative property becomes available. Tenants asked to move under the bedroom tax policy will be placed on the 'priority waiting' list, and waiting periods won't be as long as normal. However, there still may be a considerable delay in finding a suitable alternative in most areas.

Can I challenge the decision to ask me to move?

No. You cannot appeal Housing NSW's decision to subject you to the bedroom tax policy. However, you can challenge Housing NSW if you do not agree that the two offers of alternative housing are 'reasonable' or meet your needs. You can do this by lodging a formal review at a Housing NSW office, and an application for further external review can be lodged with the Housing Appeals Committee.

It is unclear if a tenant would have to pay the bedroom tax whilst appealing Housing NSW's decision on reasonable offers.

Will Housing NSW help me with the cost of my move?

Yes. Housing NSW has agreed to 'cover reasonable costs associated with the move' and work closely with the tenant to 'support' them in the process. But, CPSA has heard of some Housing NSW offices refusing to assist with moving costs. This is against what Housing NSW has agreed to provide and tenants who cannot get Housing NSW to cover moving costs should contact their local Tenants Advice and Advocacy Service. (You can find your local service at www.tenants.org.au/contact-us or by ringing CPSA on 1800 451 488).

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Older Persons Tenants' Service

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