



National Affordable Housing Consortium Victoria

Alterations and Disability Modifications Policy

Policy Statement

This policy reflects National Affordable Housing Consortium Victoria's (NAHCV) commitment to a transparent, fair and equitable decision making process regarding property modifications and manage tenancies consistent with the Residential Tenancies Act 1997 and the Disability Discrimination Act 1992.

Property alterations and modifications may be requested by tenants or residents to improve the amenity of the property or if they have a disability, medical condition or may benefit from an aide that will assist them to function better in their physical environment.

Purpose

This policy outlines how NAHCV will manage requests from tenants to make alterations or disability modifications to a property. The aim of this policy is to ensure that each application is responded to in a fair, transparent and systematic way that clearly explains options, choices and decision-making processes.

Scope

This policy applies to all tenants residing in long-term Targeted and Non-Targeted Social Housing properties owned or managed by NAHCV. This policy is to be read in line with relevant operating procedures.

Alterations

Tenants can request improvements or additional features to their housing to improve the amenity for themselves and their household. An alteration occurs when a tenant replaces, removes, changes or makes addition to an existing property. For example extensions to fencing, awnings, air conditioning, skylights etc.. The VIC Residential Tenancies Act 1997 provides a list of changes that are considered minor. NAHCV cannot unreasonably withhold consent for alterations of a minor nature.

Tenants must seek approval from NAHCV before making any alterations. NAHCV is not responsible to pay for alterations requested by the tenant and the tenant will generally be required to cover any associated costs.

Disability Modifications

NAHCV recognises that the needs of tenants or household members may change because of illness, injury, age or disability and that as a result, their home, in its current form, may no longer be suitable.

Under the Disability Discrimination Act 1992, landlords have an obligation to provide 'reasonable adjustments' (disability modifications or relocation) to support a tenant with a disability.

The National Disability Insurance Scheme (NDIS) defines home modifications as "changes to the structure, layout or fittings of the participant's home that are required to enable the participant to safely access and move around their home as a result of their disability".

Tenants can request either for themselves or a household member, modifications that will improve the access and/or amenities of their property for example adding grab rails, changing to lever style taps.

To ensure that NAHCV owned properties comply with the Disability Discrimination Act, NAHCV will finance some minor modifications if this is deemed to be reasonable. For major modifications, where the tenant is eligible for the National Disability Insurance Scheme (NDIS), NAHCV will work within the rules of the NDIS to ensure modifications are carried out as required. Where the tenant is not NDIS eligible, NAHCV will support the tenant with seeking alternative options for funding or housing.

Tenants must seek approval from NAHCV before making any modifications.

Application process

Tenants must put all alteration and modification requests in writing to NAHCV using the prescribed form and must await written approval from NAHCV before undertaking any works.

When written approval has been provided it is the tenant's responsibility to obtain any permits required as per local council regulations.

NAHCV will respond to property alteration and modification requests within 21 days advising of the outcome of the request.



Human Rights Considerations

In deciding what action to take, NAHCV employees must give proper consideration to the relevant human rights in accordance with the Charter of Human Rights and Responsibilities Act 2006 s38(1) (the Charter). This consideration should include the potential impact the proposed action they are undertaking through this policy may have on the person's (and their household's) rights under the Charter.

Transparency and Accessibility

This procedure will be available on the NAHCV website www.nahc.org.au/NAHCV

NAHCV may from time to time implement changes to this policy. The revised policy will apply to all tenancies on and from the date of the change. All tenants will be advised in writing of the changes and if/how it will affect their tenancy.

Complaints and Appeals

This is an appealable policy, If a tenant is not satisfied with the decision made by NAHCV, they can ask for a formal review. NAHCV Complaints and Appeals Policy outlines this process.

Relevant Legislation

- Housing Act 1983 (Vic)
- Residential Tenancies Act 1997 (Vic)
- Disability Discrimination Act 1992
- Charter of Human Rights and Responsibilities 2006 (Vic)
- Victorian Housing Registrar Performance Standard 1 (Tenant and housing services)
- Guidelines for Registered Housing Agencies published by DHHS

Related Policies and Procedures

- NAHCV Rent setting and Rental subsidy procedure
- NAHCV Allocations Policy
- NAHCV Rent setting and Rental subsidy Policy
- NAHCV Rent Arrears Policy
- NAHCV Financial Hardship and Temporary Absence Policy
- NAHCV Complaints and Appeals Policy

Definitions

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Policy Approval and Review Details

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