

### Purpose

This policy outlines how Pacific Link Housing (PLH) manages 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 who live in PLH properties. In leasehold properties and properties managed on a fee for service arrangement, the approval of the property owner/agent will be required. In these instances, PLH will approach the owner to seek permission for the alteration or modification to be approved. Where PLH manages properties under a strata scheme, approval of the strata body corporate will be required.

An **alteration** occurs where a tenant changes, removes, replaces, or makes an addition to an existing property, including the building itself, yard or boundary fences. For example, the installation of air conditioning or removal of an existing floor covering and replacement with one of a similar size and quality.

A **disability modification** is a 'reasonable adjustment' made to a dwelling to support a tenant with a disability as required by the Disability Discrimination Act 1992. 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".

### Alterations

PLH acknowledges that tenants may want to alter properties to improve the amenity for themselves and their household. The table below provides an example of what PLH considers minor or major alterations.

| Minor Alterations   | Major Alterations   |
|---|---|
| <ul style="list-style-type: none"> <li>• securing furniture to a non-tiled wall for safety reasons</li> <li>• fitting a childproof latch to an outdoor gate</li> <li>• inserting fly screens on windows</li> <li>• installing or replacing an internal window covering (i.e. curtains)</li> <li>• installing cleats or cord guides to secure blind or curtain cords</li> <li>• installing safety gates and window safety devices for child safety</li> <li>• installing a reasonable number of picture hooks</li> <li>• installing a carriage service to connect a phone line or to access the internet</li> <li>• planting vegetables, flowers, herbs or shrubs in the garden</li> <li>• installing a wireless removable security camera inside your property</li> <li>• applying shatter-resistant film to window or glass doors</li> </ul> | <ul style="list-style-type: none"> <li>• Security shutters and security grilles that meet Australian standards</li> <li>• Pay television, satellite dishes and antennas</li> <li>• Painting - internal only</li> <li>• Kitchen and bathroom remodelling</li> <li>• Built-in -cupboards or wardrobes</li> <li>• Fixed appliances, such as air-conditioners and heaters</li> <li>• Carpets</li> <li>• Rainwater tanks</li> <li>• Solar panels</li> <li>• Floor and wall tiles</li> <li>• Carports, awnings and garages</li> </ul> |

PLH will not grant permission for tenants to undertake the following alterations due to health and safety and ongoing maintenance issues:

- install a swimming pool, pond or spa,
- painting the external façade of a property.

### Applying for an Alteration

Tenants must apply in writing for consent from PLH before altering a property. Applications must be sent to the PLH Assets team providing as much information as possible about the proposed works including details of the proposed contractor and a full description of the alteration or modification required. PLH will consider the information the tenant provides and may inspect the property to assess an application. Tenants must not commence any work until they have received written approval from PLH and/or the landlord for the property. PLH cannot unreasonably withhold consent minor alterations. PLH cannot give consent for alterations to leasehold properties.

### Tenant Responsibilities

Tenants must submit a written application before undertaking any alterations in their home. If an application is approved by PLH, the tenant:

- Is expected to pay the full costs for any alterations
- Is responsible for repairing and maintaining any alterations at their own cost
- Must pay for all remedial works caused by negligence, poor workmanship or failure to complete an alteration in full. This includes the cost of rectifying any damage caused by any alteration
- Is responsible for repairing any damage the alteration may cause
- At the end of the tenancy must, if requested by PLH, remove an alteration at their own expense and restore the property to its original condition.

### PLH Responsibilities

- Review alteration applications within 21 days
- Inspect alterations on the property
- Inspect alterations and removal of these at the end of the tenancy.
- Not unreasonably withhold consent for minor alterations

### Assessing an Alterations Application

PLH will consider a number of factors when assessing an application, including:

- Impact on the structural integrity of the building
- Impact on a heritage listed property
- Impact on neighbours
- Australian Standards, legal requirements and Local Council regulations
- Economic viability considering the useful life of the property and the impact on the maintenance liability for PLH
- Conflict with PLH's approach to environmental sustainability
- If the alteration is able to be being rectified, repaired or removed at the end of the tenancy
- Impact on the entry or exit point to the dwelling
- If the alteration is consistent with the nature of the property (e.g. installing modern fixtures on an old property)
- Whether the home has asbestos or any hazardous building products and the degree to which those products will be altered (for example drilled, cut, removed)
- Whether the tenant intends to use licensed qualified and insured contractors to manage any work with a hazardous building product

- Rent or non-rent arrears. In general, PLH will not approve alterations for tenants with arrears to ensure that the focus on sustaining the tenancy is first addressed
- The approval of the owner where the property is owned by an entity other than PLH
- Any applicable standards imposed by the owner, such as the NSW Land and Housing Corporation Asset Standards
- If there are any prohibition by law such as a strata by-law.

Tenants will be informed in writing about the outcome of their application. This may include any conditions attached to an approval. If the tenant has supplied all the relevant details, PLH aims to make a decision within 21 days. If there is a delay, PLH will inform the applicant about the expected timeframe and the reason for any delay. Where an application is refused, the tenant may submit a revised proposal.

### Standard Conditions for Approval

All approved applications will be subject to the following conditions:

- That all alterations conform to relevant Australian Standards, legal requirements and Local Council regulations
- That the tenant is responsible for obtaining any further approvals, such as Council approval
- That a Certificate of Compliance is supplied for all electrical and gas installations
- All works are completed by licensed contractors with appropriate insurance
- That the tenant agrees to maintain the alteration during the tenancy at their own cost
- The work is started within 8 weeks and completed within 3 months of consent being issued. The tenant will need to negotiate different time frames with PLH if these timeframes are not achievable. If the agreed timeframes are not met a tenant may be required to complete a new application
- PLH is informed when the work is finished. For major alterations, the tenant must allow PLH access within 4 weeks of the works being completed for inspection purposes.
- If an inspection identifies that the alteration does not meet PLH's standard, the tenant will be required to carry out further work within a specified timescale to meet the necessary standards. Failing this, the tenant will have to reinstate the property to its original condition. The tenant will be responsible for all costs associated with this work.

### When a Tenant Moves Out of a Property

When a tenant moves out of a property they have altered, PLH may request them to remove any alterations. Tenants are responsible for the removal of the work and restoring the property to its original condition, this includes rectifying any damage caused by the work. If a tenant fails to do this, PLH will charge for any rectification required. Once the tenant hands back a property, any alterations that have not been removed cease to belong to the tenant.

### When PLH Requests a Tenant to Move Out of a Property

On occasion, tenants may be asked to move home in line with PLH's Management Transfer Policy. Where a tenant has made approved alterations to the property, PLH will provide a reimbursement based on the depreciated value of the alteration. Depending on the type of alteration, PLH may remove and reinstate the alteration to the new property in lieu of a reimbursement.

### Unapproved Alterations

An alteration without written permission is a breach of your Residential Tenancy Agreement. Where an unapproved alteration is identified, PLH will first undertake a technical inspection of the alteration. If there are no problems with the alteration in terms of design, amenity or

safety, PLH will ask the tenant to seek retrospective written approval, including any relevant Local Council approval. If PLH has any concerns about the quality, safety or amenity of the unapproved alteration, PLH will require the tenant to reinstate the property at their own cost within a specified timescale, according to PLH's standards and using appropriately qualified and insured contractors. If the tenant refuses or the work is not undertaken to appropriate standard, PLH may take action at the NSW Civil and Administrative Tribunal (NCAT) for an order to remedy or possession of the property and termination of the tenancy. PLH may also undertake this work and recharge the cost to the tenant.

### Disability Modifications

PLH 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. Types of disability modifications are set out below:

| Minor Disability Modifications   | Major Disability Modifications  |
|--|---|
| <p>We define a minor modification as one that does not require structural changes to a property. Each individual modification would usually cost \$5,000 or less (including GST and installation). Examples of minor modifications include:</p> <ul style="list-style-type: none"> <li>• Handheld shower sets</li> <li>• Lever style taps</li> <li>• Grab rails</li> </ul> <p>PLH requires an Occupational Therapist Report (OTR) for minor disability modifications..</p> | <p>We define a major modification as one that requires structural changes to a property and where the cost is likely to exceed \$5,000 (including GST and installation). Examples of major modifications include:</p> <ul style="list-style-type: none"> <li>• Widening doorways</li> <li>• Modifying the kitchen, bathroom or laundry</li> <li>• Replacement of floor coverings</li> <li>• Providing entrance and exit ramps, and</li> <li>• Installing hoists</li> </ul> <p>PLH requires an Occupational Therapist Report (OTR) before it will consider undertaking major disability modifications. PLH will work with the Occupational Therapist and the tenant and/or their advocate to make an assessment of any proposed major modifications in order to achieve the best outcome for the tenant.</p> |

### Assessing a Modifications Application

When PLH receives a request for a disability modification, we will review the application and the modifications required to support our tenant to remain in the property if it is suitable. Where requested modifications are extensive or complex, we may consider transferring the tenant to a more suitable property. We will assess the application to ensure that the proposed modification is structurally safe and economically viable.

In LAHC-owned or PLH-owned properties managed by PLH, we will review the application within 21 days. This does not include timeframes for obtaining any further approvals, eg from landlords or NSW Land and Housing Corporation. In the case of leasehold or fee for service properties, PLH will approach the owner on behalf of the tenant with the written application.

To ensure compliance with the Disability Discrimination Act for some minor modifications, PLH may finance the modification if it is assessed as reasonable. For major modifications,

where the tenant is eligible for the National Disability Insurance Scheme (NDIS), PLH will work within the rules of the NDIS to ensure modifications are carried out as required.

Where the tenant is not NDIS eligible, PLH will seek funding and approval from NSW Land and Housing Corporation in accordance with their Home Modification Guidelines. In these circumstances, PLH may contribute up to \$5,000 towards the cost of the modification at our discretion.

Where consent for property modifications has been declined by the owner of the property or a modification is determined to be unfeasible or not economically viable, alternative housing options will be discussed with the tenant.

### **Tenant Responsibilities**

Tenants must submit an application in writing to PLH before undertaking any modifications in their home. Tenants should supply all necessary information for PLH to assess the request including an Occupational Therapist report and evidence of NDIS eligibility/ineligibility.

### **PLH Housing Responsibilities**

- Review modifications applications within 21 days
- Seek approval from the owner or agent of a leasehold or fee for service property before undertaking any modification
- Undertake minor modifications for those we have agreed to undertake
- Inspect modifications funded by the tenant on completion at the property
- If permission to undertake the modification is not granted, discuss other options including transfer to an alternative property which meets the tenant's needs or which can be easily modified.
- PLH cannot unreasonably withhold consent for the installation of hand held shower heads or lever style taps to assist older tenants and tenants with disability.
- Report modifications in NSW Government owned properties to the NSW Department of Communities and Justice.

### **Assessing Modification Requests**

PLH will base its assessment of modification requests on a number of factors including:

- long term value of the property, i.e. cost of the modification in relation to the value of the property
- impact on the heritage of the property and any council requirements
- cost of alternative approaches
- availability of alternative properties already modified to meet the tenant's needs
- availability of funding, where applicable
- suitability of the property for the proposed modification
- suitability of the modification for the tenant or household member's current and future needs
- suitability of the modification for future tenants
- status of the property, i.e. is the property likely to be retained by PLH for the long term, and
- tenant's ability to sustain a successful tenancy.

PLH will only engage approved, licensed, qualified and insured contractors to complete all modifications and will monitor the work to ensure they comply with legislative and regulatory requirements.

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