

Guidelines

Community Housing Assets under the NRSCH

Regulatory Services



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Definitions, Eligibility and Reporting:

Guidelines for Community Housing Providers

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Definition – What is social housing?

Section 8 (2) of the *Housing Act 2003* (Act) defines a 'social housing service' as the provision of housing to an individual for residential use other than crisis accommodation and includes both public housing and community housing. One of the main objects of the Act (refer to s 4) is to improve the access of Queenslanders to safe, secure, appropriate and affordable housing.

In line with the objects of the Act and as per the policy intent of the National Regulatory System for Community Housing (NRSCH), community housing providers are defined as organisations that deliver social or affordable housing and associated services to people on very low, low or moderate incomes.

Definition – What is a community housing service?

Section 8 (3) of the Act defines a 'community housing service' as a social housing service that is not public housing. Public Housing is a social housing service provided directly by the State s8 (4).

Definition – What are community housing assets?

The assets of a community housing provider with which the NRSCH is concerned include:-

- those in which the state housing agency has an interest and are set out in [Schedule 4 Dictionary of the Housing Act 2003](#) (the Act) (classes a-f); **AND**
- any other community housing assets used to provide a social housing service including those that may be wholly owned by the organisation whether freehold or purchased through some other financing arrangement.

Examples of community housing assets as defined in Schedule 4 of the Act include:-

- land transferred or vested to the provider under the Act or acquired with funding provided under the Act;
- land held by a provider on which housing has been constructed or another improvement made, either by the Department of Housing and Public Works (the Department) or with funding provided under the Act or by a Housing Agency of participating jurisdiction;
- funds such as grants paid to the provider by the Department or a Housing Agency of a participating jurisdiction for the purposes of community housing;
- rent or other income from community housing properties;
- fees received by a provider for providing goods and services in the course of providing community housing services.

NRSCH Winding-up clause

In the event of the provider winding up, only state housing agency (the department) funded community housing assets (classes a-e) will be subject to winding up provisions as stated in item 2 of part 1 of schedule 3 of the *Housing Act 2003* .

The [NRSCH Winding-up Model Clause factsheet](#) provides wording that is consistent with the condition of registration under the Act. Providers may choose to adopt this example or Providers may choose to use suitable alternative wording that is legally consistent with the Act and the National Law.

Asset list

Item 7 of schedule 2 of the Act requires a registered provider to keep a list, in the approved form, of all its community housing assets. It is recommended that providers complete the Asset List, which can be found on the NRSCH website, to meet this requirement. However, this format is optional.

The asset list, or a copy of the asset list, must be made available if requested by the Registrar.

Provision of information

Item 4 of schedule 2 of the Act states that a registered provider must, at all times and in a way approved by the Registrar, give the Registrar any information reasonably required by the Registrar about the exercise of the

provider's functions, including information relating to an arrangement the provider has with another person in relation to the exercise of the provider's functions.

The provider must comply with the request within –

- (a) 14 days after receiving the request; or
- (b) If a longer period is stated in the request – the stated period.

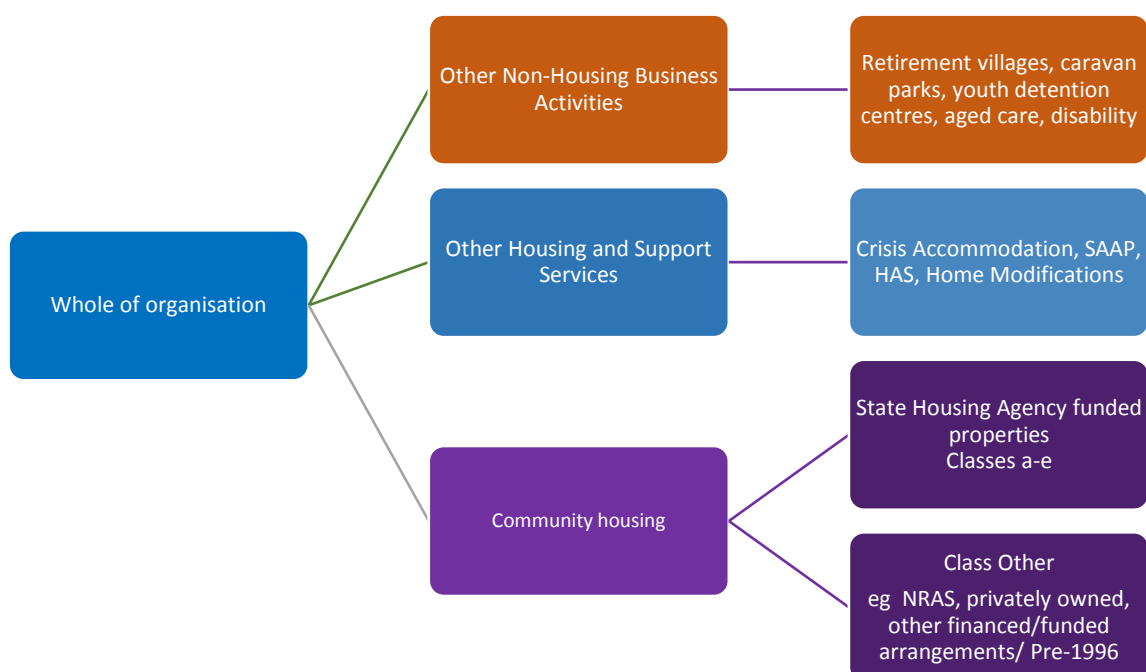
What is not considered a community housing asset under the NRSCH

Note – Providers with **only** pre-1996 capital assistance agreements are not required to register as a condition of funding.

Housing used for retirement villages, caravan parks, youth detention centres, aged care, disability, etc. are not considered a social housing service as income is not the primary eligibility criteria (i.e. people on very low, low or moderate incomes). In addition, these “housing” services may also be regulated by another agency or act.

Other Housing and Support Services – Crisis Accommodation Program (CAP), Supported Accommodation and Assistance Program (SAAP), Home Assist Secure (HAS), Home Modifications (under Community Care programs) are technically not considered Social Housing Services under the Act, however providers who offer such services are required to include metric data on affiliate property's within the Financial Performance Report (FPR). This allows for a more comprehensive assessment of a provider's community housing services. Refer to page 8 for further guidance.

Housing model



Summary of eligibility and reporting requirements

Registration

	The Provider holds properties classed a-e (Refer page 10)	The Provider holds properties classed Other (Refer Page 10) <i>NRAS, Pre-1996, properties not funded by the Department & income is the primary eligibility criteria</i>	The Provider SOLELY has Housing Assets under National Rent Affordability Scheme (NRAS)	The Provider SOLELY has Housing Assets under pre-1996 Capital Assistance Agreements	The Provider SOLELY provides CRISIS Accommodation	The Provider SOLELY provides OTHER Business	COMMENTS
Am I eligible to Register?	Yes	Yes	No	Yes - but not required to register	No	No	A provider must demonstrate that it delivers or intends to deliver community housing Primary eligibility criteria is people on very low, low or moderate incomes Providers with only pre-1996 capital assistance agreements are not required to register. However if you have both pre and post 1996 agreements then you will need to register to maintain your post-96 assets.
What asset classes impact upon Tiering?	Yes	Yes	N/A	N/A	N/A	N/A	Affiliated Entities arrangements will be considered when determining what tier is appropriate. S5.2 of the Affiliated Entities Arrangement Guidance Note provides further information.

Reporting requirements: The provider is required to report the following to ensure that community housing providers have adequate systems, policies and procedures in place to manage, monitor and control all forms of risk arising from their endeavours.

	The Provider holds properties classed a-e (Refer page 10)	The Provider holds properties classed Other (Refer Page 10) <i>NRAS, Pre-1996, properties not funded by the Department & income is the primary eligibility criteria</i>	The Provider SOLELY has Housing Assets under National Rent Affordability Scheme (NRAS)	The Provider SOLELY has Housing Assets under pre-1996 Capital Assistance Agreements	The Provider SOLELY provides CRISIS Accommodation	The Provider SOLELY provides OTHER Business	COMMENTS
Community Housing Asset Summary Report (CHASR)	-	-	-	-	-	-	The form was discontinued from 1 October 2015.
Asset List (optional)	✓	✓	N/A	N/A	N/A	N/A	
Community Housing Asset Performance Report (CHAPR)	✓	✓	N/A	N/A	N/A	N/A	This form is now completed online as part of the Return
PO1 Tenant and housing services	✓	✓	N/A	N/A	N/A	N/A	Crown Law – All housing assets including those under NRAS
PO2 Housing assets	✓	✓	N/A	N/A	N/A	N/A	Report on owned or managed properties
PO3 Community engagement	✓	✓	N/A	N/A	N/A	N/A	Community housing only
PO4 Governance	✓	✓	N/A	N/A	N/A	N/A	Whole of entity
PO5 Probity	✓	✓	N/A	N/A	N/A	N/A	Whole of entity
PO6 Management	✓	✓	N/A	N/A	N/A	N/A	Community housing only
PO7 Financial Viability	✓	✓	N/A	N/A	N/A	N/A	Whole of entity

FPR Specific reporting requirements

The provider is required to report on <u>ALL</u> properties held for the purpose of the Registrar's assessment of metric data.	Properties classed a-e (Refer page 10)	NRAS properties classed Other (Refer Page 10)	Pre-1996 properties classed Other (Refer Page 10)	Other properties classed Other (Refer Page 10) <i>properties not funded by the Department</i>	Crisis Accommodation	Other Business	COMMENTS
Long Term Housing Owned	✓	✓	✓	✓	N/A	N/A	CH Assets owned by provider that are used for Long Term Community Housing Includes Department funded programs – (Long term Community Housing; Community Managed Studio Units), Pre-1996 agreements, NRAS and any Other properties used for long term community housing
Long Term Housing Managed	✓	✓	✓	✓	N/A	N/A	CH Assets managed by provider that are used for long term community housing Includes Department funded programs – (Long term Community Housing; Community Managed Studio Units)Pre-1996 agreements, NRAS and any Other properties used for long term community housing
Other Housing Business	✓	N/A (as usually used for long term housing)	✓	✓	✓	N/A	Other Housing Business segment includes Transitional Housing Programs (Community Managed Studio Units, Community Rent Scheme) This segment will also include Other Housing and Support Services such as Crisis Accommodation Program (CAP); Supported Accommodation and Assistance Program

							(SAAP); Home Assist Secure (HAS); Home Modifications (under Community Care Program) ¹
Other Non-Housing Business	N/A	N/A	N/A	N/A	N/A	✓	Other non-community housing business of a provider including retirement villages, caravan parks, youth detention centres, aged care, disability, etc.
FPR Consolidated	✓	✓	✓	✓	✓	✓	Whole organisation is assessed for financial viability

¹. It should be noted that Crisis Accommodation Program (CAP), Supported Accommodation and Assistance Program (SAAP), Home Assist Secure (HAS), Home Modifications (under Community Care programs) are technically not considered Social Housing Services under the Act. However, providers who offer such services are required to include metric data on affiliate properties within the Other Housing segmented worksheet of the Financial Performance Report (FPR). This allows for a more comprehensive assessment of a provider's community housing services

Classes A-E under the National Law

Class definitions under the National Law	Queensland Housing Act 2003 - S4 defines a national community housing asset
Class a: land vested in the provider by or under the community housing legislation of a participating jurisdiction	<i>a) land—</i> <i>(i) transferred to the national provider under this Act by the chief executive, another national provider or a state provider; or</i> <i>(ii) vested in the national provider under corresponding law of a participating jurisdiction;</i> The Department provides land to a provider on which to build community housing
Class b: land acquired by the provider wholly or partly with funding provided by a Housing Agency of a participating jurisdiction	<i>(b) land acquired by the national provider wholly or partly with—</i> <i>(i) funding provided to the provider by the chief executive; or</i> <i>(ii) financial or other assistance given to the provider by a housing agency of another participating jurisdiction;</i> The Department provides all or a portion of the money needed to purchase land on which a provider will build community housing
Class c: land vested in the provider on which a Housing Agency of a participating jurisdiction has constructed housing or made other improvements	<i>(c) land held by the national provider on which housing has been constructed, or to which another improvement has been made—</i> <i>(i) by the chief executive or using funding provided by the chief executive; or</i> <i>(ii) by a housing agency of another participating jurisdiction;</i> Provider owns or has received land from another source (government, local council or some other source) and the Department provides funding to build community housing.
Class d: funds provided to the provider by a Housing Agency of a participating jurisdiction for the purposes of community housing	<i>(d) a national provider receipt</i> <i>(e) an amount paid to the national provider—</i> <i>(i) by the chief executive under a funding agreement that remains unexpended when the funding agreement is terminated or otherwise ends; or</i> <i>(ii) by the housing agency of another participating jurisdiction under an agreement that corresponds to a funding agreement, that remains unexpended when the agreement is terminated or otherwise ends.</i> National provider receipt means <i>(a) funds in the form of grants, loans or other financial assistance paid to a national provider by the chief executive or the housing agency of another participating jurisdiction;</i> <i>(b) rent or other income, including proceeds of sale, from property</i> <i>(i) transferred or leased by the chief executive or a housing agency of another participating jurisdiction to a national provider for the purpose of providing a community housing service; or</i> <i>(ii) bought or leased by a national provider using, entirely or partly, funds of the kind mentioned in paragraph (a) or by other receipts obtained by a national provider for a community housing service</i> <i>(c) fees received by a national provider for providing goods or services in the course of providing a community housing service</i> <i>(d) interest received by a national provider on amounts mentioned in (a) to (c).</i>
Class e: any other asset of the provider that is of a class of assets declared by the community housing legislation of a participating jurisdiction as community housing assets for the purposes of this Law	<i>(f) any other asset of the national provider that is of a class of assets declared by this Act or a corresponding law of another participating jurisdiction applying to the provider, or is prescribed, as a community housing asset for the purposes of the Act or the corresponding law.</i>

Class other

Providers may also have other housing assets that are used to provide community housing that do not fit into the National classes a-e above. For example, these may include

- Pre-1996 funded assets,
- NRAS assets,
- Assets funded by other State or Federal agencies,
- Privately owned/funded assets without any government assistance, Social enterprise models.

This class of assets is not subject to the NRSCH winding up provisions.

Community housing asset reporting

Community Housing Asset Performance Report (CHAPR)

During registration, providers were asked to complete the CHASR and CHAPR (an excel spreadsheet) and submit them with their return. From 1 October 2015, the CHAPR is part of the online compliance return and is identical to that submitted for registration. Any changes on the Provider's portfolio from the registration date should be reflected on the CHAPR.

Community Housing Asset Performance Report (CHAPR)

Save Back

Ownership

	ACT	INTL	NSW	NT	QLD	SA	TAS	VIC	WA	
Owned (Wholly Or Partly)					5					5
Managed On Behalf Of Another Entity					348					348
	0	0	0	0	353	0	0	0	0	353

Maintenance liabilities of assets owned or managed

	ACT	INTL	NSW	NT	QLD	SA	TAS	VIC	WA	
No Responsibility For Maintenance					64					64
Responsive Repairs Only					0					0
Responsive And Cyclical/Planned					289					289
All Responsibilities (Incl Structural)					0					0
	0	0	0	0	353	0	0	0	0	353

Type of accommodation of asset owned or managed

	ACT	INTL	NSW	NT	QLD	SA	TAS	VIC	WA	
Long Term					300					300
Transitional					53					53
Crisis					0					0
	0	0	0	0	353	0	0	0	0	353

Class of asset owned and managed under national law

Jurisdictional definitions

The Community Housing Asset Performance Report requires the provider to state what class of asset each asset is as defined by the National Law. The classes are specified in Section 4 (a-e) of the National Law as follows:

- Class a: land vested in the provider by or under the community housing legislation of a participating jurisdiction, or
- Class b: land acquired by the provider wholly or partly with funding provided by a Housing Agency of a participating jurisdiction, or
- Class c: land vested in the provider on which a Housing Agency of a participating jurisdiction has constructed housing or made other improvements, or
- Class d: funds provided to the provider by a Housing Agency of a participating jurisdiction for the purposes of community housing, or
- Class e: any other asset of the provider that is of a class of assets declared by the community housing legislation of a participating jurisdiction as community housing assets for the purposes of this Law.
- Other: Any other community housing asset of the provider that does not fit into the classifications above. For assets entered as "other" please specify in the comments column on tab 2 "Asset list" in the comments section (column AA).

Further guidance on Class e assets is available from the relevant jurisdiction and is accessible through the NRSCH website at www.nrsch.gov.au or the jurisdiction Registrar's website. If you have any queries please contact the assigned analyst.

	ACT	INTL	NSW	NT	QLD	SA	TAS	VIC	WA	
Class A					0					0
Class B					0					0
Class C					0					0
Class D					53					53
Class E					300					300
Other					198					198
	0	0	0	0	551	0	0	0	0	551

State housing authority vested interest

	ACT	INTL	NSW	NT	QLD	SA	TAS	VIC	WA	
State Housing Authority Vested Interest					353					353
	0	0	0	0	353	0	0	0	0	353

Age of portfolio - Responsive and cyclical/planned

	ACT	INTL	NSW	NT	QLD	SA	TAS	VIC	WA	
(R) 0-9 Years					214					214
(R) 10-19 Years					29					29
(R) 20-29 Years					18					18
(R) 30-39 Years					16					16
(R) 40+ Years					12					12
	0	0	0	0	289	0	0	0	0	289

Age of portfolio - All responsibilities (including structural)

	ACT	INTL	NSW	NT	QLD	SA	TAS	VIC	WA	
(L) 0-9 Years					0					0
(L) 10-19 Years					0					0
(L) 20-29 Years					0					0
(L) 30-39 Years					0					0
(L) 40+ Years					0					0
	0	0	0	0	0	0	0	0	0	0

Summary details (all tiers)

Note that the term 'leased' refers here to a property leased by the provider from another person, agency or entity as opposed to a property owned by the provider.

	ACT	INTL	NSW	NT	QLD	SA	TAS	VIC	WA	
Net Leases – Tenancy Units					363					363
Net Leases – Ended not Renewed					21					21
Net Leases – Commenced					11					11
	0	0	0	0	0	395	0	0	0	395

Changed Assets - Disposed											0
Changed Assets - Developed											0
Changed Assets - Vested											0
Changed Assets - Acquired											0
	0	0	0	0	0	0	0	0	0	0	0

Planned Growth - five years

For properties expected to be delivered the provider will have made some sort of contractual commitment to deliver. This contract may be with a government agency such as NRAS or vesting or may be with a third party. Finance to deliver the program will have either been secured or negotiations will be far advanced. See the Registration Application Guidance for further details.

For further advanced: See the Registration Application Guidance for further details.

	ACT	INTL	NSW	NT	QLD	SA	TAS	VIC	WA	
Total Tenancy Units Planned Next 5 Years					0					0
Total Tenancy Units Vested Next 5 yrs										0
Total Tenancy Units Acquired Next 5 Year										0
	0	0	0	0	0	0	0	0	0	0
Total Units Planned Major Refurbishment										0
Will these refurbished units be in addit	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Net New Leases Planned										0
Net New Fee for Service Leases										0
Net New Properties Managed										0
	0	0	0	0	0	0	0	0	0	0

Please note the following:-

- **Classes a – e** refer to community housing assets funded by the Department.
- **Class other** - refer to any other housing asset used for community housing by the provider that does not fit into the above classes e.g. NRAS utilised assets, pre-1996 funded assets, privately owned or funded community housing properties.
- The number of properties that are reflected under the State housing agency vested interest section should equal the number of properties reflected under classes a-e.

Asset list (optional)

Asset List (optional)										0	As at										JUN 30									
																									25					
Property #	Lot/Unit/ Floor number	Street number	Street name	Suburb	Postcode	Local Governme nt Area (N/A for ACT)	State	Country (if not Australia)	Title referenc e (where applicab le)	Housing agency identifi er (where applicab le)	Ownersh ip	Manage d by other registr ed communi ty housi ng provider (if	Managin g agency (If manage d by other provider)	Register ed owner (If not owned by provider)	State Housing Agency vested interest?	If yes, which State or Territory holds the interest?	Housing use type	Asset class	Number of lettable dwelli ngs	Build date (financia l year)	Acquisiti on date (Financi al year)	Disposal date (where applicab le)	Mainten ance liability	Provider ID (optiona l)	Comments (optio					
1																														
2																														
3																														
4																														
5																														

Please note the following when completing the Asset List:

- Completing the asset list is optional. However, providers are required to keep a list of their community housing assets, as a condition of registration. It is recommended that providers consider using this template.
- The Asset List will NO LONGER auto-populate the CHAPR.
- Only assets that have a Department vested interest should be included in the (a) to (e) asset classifications.
- Class other – refers to any other community housing asset of the provider that does not fit into the classes a-e. For example, NRAS utilised assets, pre-1996 Department funded assets, privately owned or funded community housing properties.
- For assets entered as 'other' please specify in the comments column as to reasons for their inclusion such as ATSI funded property; pre-1996 Department funded property, NRAS assets.
- Assets classified as 'other' are included for the provider's tiering determination, but would not be captured in the event of a wind-up of the provider or cancellation of registration.

More information is available through your Analyst, Registrar's mailbox

NRS-Housing-Registrar-QLD@hpw.qld.gov.au, 13 QGOV (13 74 68), or via Post to *Regulatory Services*, National Regulatory System for Community Housing, PO Box 690, Brisbane, Queensland 4001.