



Housing Appeals Committee Guide for Advocates

Advocates need to know:

There are two levels of appeal for social housing decisions:

1 First level appeal - Internal Review

Generally internal review by housing providers is required before an appeal can go to the HAC.

2 The Housing Appeals Committee

An independent review agency made up of members appointed by State Cabinet. The HAC can review Housing NSW (HNSW) or community housing provider decisions.

What is an appealable issue:

- Most decisions that are not the jurisdiction of another agency (such as the CTTT) are appealable to the HAC. Check the website or ring the HAC staff to discuss whether a matter is within the HAC jurisdiction.

How can an advocate best assist a client?

Tell them it is worth appealing

- It is the client's right to question a housing provider decision and ensure the right decision was made within policy and taking account of their individual circumstances. Don't second guess the outcome as there may be solutions which have not been considered by the housing provider.

Make sure the housing provider decision is clear

- If the housing provider's decision is verbal or not clear, you or your client can ask for the decision to be clarified in writing.

Update the client's circumstances

- The Committee conducts a merits review of the client's situation at the time of the hearing so this may take account of updated information.
- If necessary the HAC may adjourn a matter to seek review of a significant change of circumstances by the housing provider.

Help to document the case

- Obtain copies of relevant policies from the housing provider, for example from the Housing NSW website: www.housing.nsw.gov.au.



- Help them to obtain relevant medical and support documents.

For example: for HNSW Priority Housing documentation could include:

- How the client's medical condition impacts on their ability to secure affordable housing in the private rental market.
- Documentation of medical expenses including receipts or printouts from pharmacists as this affects housing affordability.
- Information on locational need
- Provide support letters that address the case within the policy criteria

Help the client at the hearing or by talking to the Committee on the telephone if the client wishes

- Help the client understand what they can expect in the appeal process
 - ie informality, non adversarial approach (housing provider not represented), professional interpreters, flexible approach to hearings (face to face or telephone).
- Know the key issues that the client will need to address.
- Assist them to speak for themselves.

Advise clients after the hearing:

- A detailed report from the appeal hearing goes to the client and to the housing provider advising them of the outcome.
- The HAC can recommend a change of decision and it may take up to 6 weeks for a final outcome from the housing provider.
- Advocates can be invaluable in helping clients to understand what happens next. If their appeal is unsuccessful they may need help to follow up on any suggestions from the HAC.

Permission for an advocate to represent a client

- If a client wants an advocate to speak on their behalf to the HAC or receive copies of correspondence, they will need to provide written permission in advance of the hearing day.
- An '**Authority for an Advocate to Represent**' form can be downloaded in PDF format from the HAC website or obtained from the HAC.

QUESTIONS ????

**If you have questions ring the HAC on 9715 7955 or
freecall 1800 629 794**

or

Visit: www.hac.nsw.gov.au