

Fact sheet

5 May 2014

Appeals and reviewing decisions

Many decisions made by Housing NSW can be reviewed and appealed upon request by a client. A review is a formal process that checks whether Housing NSW has made the right decision on a matter that is our responsibility.

When Housing NSW makes a decision we:

- give consideration to individual circumstances
- apply Housing NSW policy
- provide you with the reasons for our decision.

If you think we have made the wrong decision you can talk to the person who made the decision or another Housing NSW staff member. If you are still not satisfied, you can ask for the decision to be reviewed.

What decisions can be reviewed?

Decisions that can be reviewed include:

- decisions made by Housing NSW on behalf of Housing Pathways about:
 - applications for social housing assistance
 - Private Rental Assistance products
- decisions made by Housing NSW that affect tenants such as:
 - transfer applications
 - applications for recognition as a tenant
 - rent subsidy calculations and other tenancy-related decisions.
- decisions made by Housing NSW that affect former tenants such as:
 - former tenant debts
 - former tenant classifications.

Housing NSW cannot review NSW Civil and Administrative Tribunal (NCAT) decisions.

How do I have a decision reviewed?

You need to fill out the relevant application form available from our website at www.housing.nsw.gov.au or at any local Housing NSW office. For more information about which form relates to your circumstances, refer to the *Client Service Delivery and Appeals Policy* on our website www.housing.nsw.gov.au.

If you need help to fill out the form, speak to a Housing NSW staff member. They will be able to explain what information must be entered on the form and can also provide help with writing as well as other assistance. You can also ask someone else to do this on your behalf, for example, a relative, friend or community worker.

Is there a timeframe to ask for a review?

Yes, generally you have three months from the date of the original decision to ask for a review. However, there are a number of decisions that require more urgent review and have specific timeframes. For more detail on these, refer to the *Client Service Delivery and Appeals Policy* on our website www.housing.nsw.gov.au.

How does the review process work?

A Housing NSW officer, who did not make the original decision, will review the original decision and make a recommendation. The review will check that:

- procedural fairness was adhered to
- policy was interpreted correctly and fairly when making the decision
- all circumstances and relevant information were fairly and properly considered
- any new, relevant information is considered.

A senior officer will then decide if the recommendation is correct. If you believe that the decision made after the review is still incorrect, you can ask for a second tier appeal which is conducted by an independent agency, the Housing Appeals Committee.

Housing Appeals Committee

The Housing Appeals Committee is an independent body that deals with appeals about Housing NSW and community housing provider decisions in NSW. The Housing Appeals Committee will review applications and provide a recommendation to the original decision maker. The Committee might rule the decision made was correct, or it may recommend that Housing NSW change the decision in full or in part. The Housing Appeals Committee website www.hac.nsw.gov.au provides more detailed information.

How long will the review take?

The review undertaken by Housing NSW will generally be completed within 20 working days from your request for review. It may sometimes take longer than this if we are waiting for further or new information from you or another relevant party.



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A second tier appeal undertaken by the Housing Appeals Committee generally takes between six and eight weeks.

How do I know what the decision is?

When the review is completed by Housing NSW or the Housing Appeals Committee, you will receive the decision in writing.

If you have a complaint to make against Housing NSW

For complaints or other feedback, refer to the 'Client Feedback Service' located on our website, www.housing.nsw.gov.au

Are all your questions answered?

If all your questions have not been answered in this fact sheet you can

- contact your local Housing NSW office
- phone 1300 HOUSING (1300 468 746)
- visit the Housing NSW website www.housing.nsw.gov.au
- visit the Housing Appeals Committee website www.hac.nsw.gov.au

It is illegal for an officer of Housing NSW to ask for money or favours or other benefits of any kind in exchange for helping you with your housing needs.

It is also illegal for you or anyone else to offer money or favours or other benefits of any kind to an officer of Housing NSW in exchange for helping you. If you have any information regarding this, please contact Business Assurance on 1300 HOUSING (1300 468 746). Housing NSW may refuse the provision of further housing services to anyone who has engaged or sought to engage in corrupt or illegal conduct.

Translation service

Arabic	خدمة مجانية للترجمة الخطية والشفهية 1300 652 488 تصل على الرقم
Chinese	免費翻譯及傳譯服務機構電話: 1300 652 488
Russian	Бесплатная переводческая служба Звоните по тел. 1300 652 488
Spanish	Servicio Gratuito de Interpretación y Traducción. Llame al 1300 652 488
Vietnamese	Dịch vụ Thông Phiên dịch Miễn phí. Hãy gọi đến 1300 652 488