



Government of **Western Australia**
Department of **Communities**
Housing

**GOVERNMENT REGIONAL OFFICERS'
HOUSING (GROH)**

**Debt Recovery:
Policy and Guidelines**

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Contents

Purpose	3
Scope	3
Definitions	3
Policy Statements	4
1. Current GROH Tenants' Debt	5
2. Former GROH Tenants' Debt.....	5
3. Industrial Agreements.....	6
4. Appeals Process	6
Document History	7
Authorisation	7
Summary Information	8

GROH Debt Recovery: Policy and Guidelines

Purpose

This policy outlines the obligations of current and former Government Regional Officers Housing (GROH) tenants who have an outstanding debt. It describes the steps the Department of Communities (Communities) will take to recover GROH tenants' debts and it informs GROH Client Agencies of their role in Communities' recovery of debt.

Scope

This document is written to provide clear policy and guidelines for Communities' officers, GROH Clients, GROH tenants and people who have applied for a GROH dwelling, and the public.

Definitions

Breach means a notice issued to a tenant to formally advise them of a breach to the conditions of their Tenancy Agreement, for example, debt.

Client Agency means either:

- an Employing Agency, which is a Department under the administration of a Minister of the Crown in the Government of the State, or any Crown instrumentality, hospital, board, body corporate or other body of whatever description, proclaimed as a Department under s.7 of the *Government Employees' Housing Act 1964* (GEH Act); or
- a Responsible Agency, which is the agency responsible for arranging the salary and other entitlements (including accommodation) of the tenant when this tenant is not an employee of an Agency.

Communities means the Department of Communities.

Former tenant means a person who has vacated a GROH dwelling and is no longer bound by the tenancy agreement they were under while they occupied this dwelling.

GROH means the Government Regional Officers' Housing program administered by Housing.

GROH applicant means a person applying to be a tenant in a GROH dwelling.

GROH client means either:

- a Client Agency; or
- any other client serviced by GROH (**other GROH client**).

GROH dwelling means a house as defined in s.5 of the GEH Act, which is owned, leased or constructed by Housing and allocated for use by GROH.

GROH tenant means a person occupying a GROH dwelling under the terms of GROH tenancy Agreement.

GROH tenancy agreement means the property and tenancy agreement between the GROH tenants and the Client Agency, for which GROH acts as the Agent.

Housing means the Department of Communities.

Notice of termination means a notice issued to a tenant to formally advise them of a termination of their Tenancy Agreement and advising a date for the dwelling to be vacated by the tenant.

Occupied debt means debt related to the current tenancy.

Officer means an employee of the Department of Communities – Housing.

Other GROH client includes other worker housing programs, e.g. Non-Government Organisations, non-proclaimed State Government agencies, other housing programs or private tenants.

Private tenants means an individual, organisation or business that is not eligible for a GROH dwelling.

RTA means the *Residential Tenancies Act 1987 (WA)*.

Tenant liability means costs for repairs that have been assessed as the responsibility of the tenant.

Vacated debt means debt related to a previous tenancy.

Water consumption means the costs for water used in a GROH dwelling.

Policy Statements

1. Current GROH Tenants' Debt

1.1. Policy

- 1.1.1. GROH tenants must repay debts in full or where necessary enter into a payment arrangement to clear debts.
- 1.1.2. Communities will act to recover the outstanding debts of all current GROH tenants.

1.2. Guidelines

- 1.2.1. Communities will notify all GROH tenants in writing of any current debts.
- 1.2.2. If the tenant does not respond to Communities' notification, Communities will inform the Client Agency of the outstanding debt.
- 1.2.3. For tenants who do not respond to their Client Agency's contact, Communities will commence debt recovery action, which may include court action to end the tenancy.

2. Former GROH Tenants' Debt

2.1. Policy

- 2.1.1. Communities will act to recover the outstanding debts of all former GROH tenants.
- 2.1.2. To commence a new tenancy in a GROH dwelling, applicants who have been identified as having a debt outstanding from a former tenancy in a GROH dwelling must repay the outstanding debt.

2.2. Guidelines

- 2.2.1. Communities will notify all former GROH tenants in writing of any outstanding debts.
- 2.2.2. If the former tenant does not respond to Communities' notification, Communities will inform the Client Agency of the outstanding debt.
- 2.2.3. For former tenants who do not respond to their Client Agency's contact, Communities will refer the former tenant's case to a debt collection agency.

3. Industrial Agreements

3.1. Policy

3.1.1. For GROH tenants under Industrial Agreements that may subject them to disciplinary action from their employer if they have outstanding debts (e.g. WA Police), Communities will work with Client Agencies to recover the GROH tenant's debt so that, where possible, the tenant avoids disciplinary action.

4. Appeals Process

4.1. Policy

4.1.1. Client Agencies' employees may appeal Communities' determinations about debts, including tenant liability, by using the Communities Appeals Mechanism.

4.2. Guidelines

4.2.1. Water consumption charges cannot be appealed by using the Communities Appeals Mechanism as the charges are not generated by Communities. However, these charges will be investigated when an issue is raised by a tenant.

Document History

VERSION	DATE	REASON	POLICY AUTHOR	OFFICERS TITLE	HPRM Ref	DATE LOADED ON Internet
1.1	November 2008	First Edition	Emily Tyrrell-Clark	Policy and Research Officer	N/A	
1.2	October 2009	Reformatting of Policy	Danielle Faulkner	Coordinator Policy and Projects	N/A	October 2009
1.3	June 2013	Policy amended to reflect changes to the <i>Residential Tenancies Act 1987</i> by the proclamation of the <i>Residential Tenancies Act 2011</i> . Minor updates to bring policy up-to-date with current work practices and organisational structures.	Tony Leaversuch	A/Coordinator Operational Policy and Projects	N/A	July 2013
2.1	January 2018	Policy reformatted and updated to reflect current work practices and organisational structures.	Brett Hockley	A/Senior Policy and Practice Officer	17/D1718577	Jan 2018

Authorisation

Version	Authorised by	Approval Date	Effective Date	Sections modified (if applicable)
2.1	Director Housing Programs			

Summary Information

Responsible Officer	Director Housing Programs
Contact Officer	Senior Policy and Practice Officer, Housing Programs
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Associated Documents	<ul style="list-style-type: none"> • <i>Government Employees' Housing Act 1964</i> (GEH Act) • <i>Residential Tenancies Act 1987</i> • <i>Public Sector Management Act 1994</i> • <i>Freedom of Information Act 1992</i> • Communities Appeals Mechanism