

# Ainslie Village – Appeals against decisions made by Argyle Housing Policy

<b>Location</b>	Ainslie Village, ACT
<b>Policy Type</b>	Social Housing Policy
<b>Version</b>	4.0
<b>Issue Date</b>	November 2021
<b>National Regulatory Code</b>	Performance Outcome 1- Tenant and housing services

## 1. OBJECTIVE

- 1.1. This policy provides guidelines relating to making an Appeal. Ainslie Village Residents or Applicants can appeal decisions made by the representatives of Argyle Housing. Argyle Housing representatives will inform applicants or residents of the process for appealing a decision.
- 1.2. Please note: Appeal and Complaint have different meanings. Definitions of the words 'appeal' and 'complaint' can be found in the Ainslie Village Definitions document.

## 2. BACKGROUND AND SCOPE

- 2.1. Ainslie Village is a caring, non-violent and tolerant community that employs principles to maintain harmony among residents and with those who support them.
- 2.2. Argyle Housing's Ainslie Village program promotes and respects the human rights and fundamental freedoms of all persons with a disability and provides a service to tenants in line with the principles of the NSW Disability Inclusion Act 2014, Disability ACT and the United Nations Convention on the Rights of Persons with Disabilities (CRPD).
- 2.3. Argyle Housing's Ainslie Village program is compliant with the ACT Human Rights Act.
- 2.4. Argyle Housing's Ainslie Village program supports and encourages a person-centered and culturally sensitive approach to service delivery.
- 2.5. Argyle Housing's Ainslie Village program promotes and respects the rights and freedoms of Aboriginal and Torres Strait Islander peoples.

## 3. DEFINITIONS

- 3.1 Refer Argyle Housing Policy: Policy Definitions.

## 4. POLICY DETAIL

- 4.1 Residents and applicants can appeal the following decisions:



- Rejection of application for housing
- Rejection for requested transfer
- Rejection of maintenance or repairs
- Appeal against Tenant Responsible Maintenance
- Appeal against License Fee Calculations
- Appeal against outcome of complaint
- Appeal against rental rebates

#### 4.2 There are timeframes which must be followed when an Appeal is made.

- Appeals must be lodged within 30 days of a decision being made in writing.
- Argyle Housing will acknowledge written appeals within 7 days – in writing.
- Argyle Housing’s Appeal investigation and resolution will not take longer than 21 days, unless agreed by all parties.
- Appellants will be informed immediately if the issue comes within the jurisdiction of the ACT Civil and Administrative Tribunal.

#### 4.3 Second Review of Appeal Decisions

- If an Appellant disagrees with the outcome of an Appeal, they have 30 days to ask for a second review by the Housing Services Manager. The Manager will reconsider the decision by taking into account the views of both the person appealing and the person who made the decision.
- The Manager will provide a response in writing to the Appellant.

#### 4.4 External Appeals

- If an Appellant disagrees with the Manager’s second review of the Appeal, they can make an external appeal.
- Appellant can make an external appeal to Argyle Community Housing Ltd ‘Board of Directors’, but this must be made within 30 days of receiving the decision by the Housing Services Manager. The Board of Directors will provide an independent assessment of the appeal.
- If an Appellant does not agree with the decision made by the Board of Directors, they may – in some cases – approach the ACT Civil and Administrative Tribunal (ACAT) for review of their appeal. Appellants approaching the ACAT must initiate this process themselves.

## 5. RELATED POLICIES AND DOCUMENTS

- 1.1 Delegation of Authority Schedule
- 1.2 Property-specific Complaints Policies, Procedures and Tools.
- 1.3 National Community Housing Standards Reference - 3.6 Complaints and appeals

## Version Control

Version No.	Review Date	Author	Position	Next Review Date
1.0	01/05/2014	J.Irwin	Acting CEO	30/04/2015
2.0	08/05/2015	T.Stiller	Operations Manager ACT	07/05/2016



2.1	01/05/2016	M.Ward	GM Operations	01/05/2017
3.0	07/02/2018	J.Irwin	Regional Manager West	07/02/2019
3.1	03/07/2019	C.Tizzoni	Team Leader ACT	03/09/2021
4.0	12/11/2021	C.Tizzoni	Operations Manager	12/11/2022

