



# Community Housing Regulatory Framework

## Complaints Handling Fact Sheet

### Information for Community Housing Providers

This fact sheet sets out the types of complaints that may be addressed by the Community Housing Registration Office.

It explains in broad terms how the Community Housing Registration Office will engage with a Community Housing Provider (provider) registered under the Community Housing Regulatory Framework (Framework) regarding a complaint made under the Framework.

This information only applies to community housing operated by providers registered under the Framework.

### Role of the Community Housing Registration Office

The Community Housing Registration Office will deal with complaints and allegations relating to dissatisfaction with a registered provider's compliance with the Framework including the National Regulatory Code.

The Community Housing Registration Office has no direct role in mediating or resolving complaints, disputes or in matters which fall outside of the Framework.

Where tenants, residents and other clients and / or their representatives contact the Community Housing Registration Office because they are dissatisfied with the outcome of a provider's internal complaint or appeal policies and these are not matters the Community Housing Registration Office can investigate, the Community Housing Registration Office may assist the complainant with a referral to an appropriate body as outlined in the *Complaint Handling Fact Sheet - Information for Tenants*.

### What types of complaints will the Community Housing Registration Office address?

The Community Housing Registration Office deals with complaints about compliance with the Framework including the National Regulatory Code. These may extend to such matters as systemic business failures, inappropriate corporate activities, misallocation of government funding, poor tenancy or maintenance practices, and allegations of fraud or corruption.

These matters do not include, or extend to, individual tenancy disputes, rent disputes, minor maintenance disputes, or internal personality conflicts, unless any of these matters can be shown to be of a systemic nature on the part of the provider and therefore a potential threat to its ongoing viability and compliance.



Any allegations of a significant nature, involving fraud, corruption, misappropriation of funds, misappropriation of assets, or any other form of criminal or illegal behaviour may be notified to the police and progressed accordingly. Whistle-blower protection provisions may also be applicable in the case of staff or volunteers who have concerns regarding the internal functioning of the provider with which they are associated.

The Community Housing Registration Office has undertaken to deal with complaints in a fair, equitable, unbiased and timely manner. Where another body is investigating the complaint or aspects of the complaint which the Community Housing Registration Office has an interest in, then it may be appropriate for the Community Housing Registration Office to place its investigations on hold pending the outcome of the other body's investigation.

## **Enforcement Guidelines**

If it appears that a complaint demonstrates a potential breach of the Framework, the Community Housing Registration Office will then progress the complaint in a manner consistent with the principles of the Framework.

These principles require that the Community Housing Registration Office engages with providers in a manner that is:

- Proportionate – reflecting the scale and scope of regulated activities,
- Accountable – able to justify regulatory assessments and be subject to scrutiny,
- Consistent – based on standardized information and methods,
- Transparent – there will be clear and open processes and decisions,
- Flexible – avoiding unnecessary rules about how providers organise their business and demonstrate compliance with the National Regulatory Code, and
- Targeted – focused on the core purposes of improved tenant outcomes and protecting vulnerable tenants, protecting government funding and equity, and ensuring investor and partner confidence.

Enforcement action is generally taken if non-compliance is significant and / or ongoing and requires more than normal regulatory engagement.

## **Assessment of the nature and urgency of the complaint**

In addition to the above principles, the Community Housing Registration Office will progress complaints in a manner which considers the urgency of the matter, the seriousness of the complaint, and the potential consequences of an ongoing breach of the Framework.



## Potential outcomes

Subject to the outcome of the enquiry or investigation, and the severity of any identified breach, the Community Housing Registration Office may choose to apply one of the following approaches to remedy a proven case of non-compliance on the part of a provider:

- Information and guidance to assist provider to achieve voluntary compliance;
- Recommendations to assist provider to return to compliance; or
- Proportional enforcement action i.e. issuing a notice of Non-Compliance.

Whilst progressive escalation is the preferred response to return a provider to compliance, where situations warrant it the Community Housing Registration Office may move immediately to any stage of enforcement permitted under this Framework to ensure a proportionate response to non-compliance.

## Ongoing regulatory monitoring and compliance assessments

All providers registered under the Framework are subject to regular compliance assessments. Consequently, all complaints and / or appeals forwarded to the Community Housing Regulation Office, irrespective of their outcome, serve to better inform the regulatory process and therefore assist in improving outcomes for the community housing sector.

## Additional information and contacts

Additional information on the Framework can be found at: [Housing Investors and Partners - Community Housing Organisations](#).

For additional information on how different types of complaints might be dealt with, as well as a broad overview of the role of various regulatory and review bodies' roles and functions, refer to the following fact sheet:

- Complaint Handling - Information for Tenants.

To contact the Community Housing Registration Office, please email [registrar@dohw.wa.gov.au](mailto:registrar@dohw.wa.gov.au).