

Rent Review Policy

1. PURPOSE

The purpose of this policy is to provide a clear, consistent and transparent framework for ensuring that the local government principles are reflected in the Rent Review Policy.

2. SCOPE

This policy applies to all tenants, Council Officers, Councillors, contractors, agents and assigns of Council.

This policy sets out the principles to be followed when a rent review is to be conducted. Council will conduct rent reviews on an annual basis, in compliance with the *Housing Regulation 2015* and the Assistance Agreement with the Department of Housing and Public Works.

3. LINK TO CORPORATE PLAN 2025-2030

TSIRC [Corporate Plan 2025-2030](#)

Outcome 1: Strengthening Our Communities

1.1 Provide Suitable Public Housing

- Work with the State and Federal Governments and community to ensure that all Torres Strait Island communities have access to safe, secure and culturally appropriate housing.

Outcome 2: A Proactive and Responsible Council

3.1 Provide Good Governance and Leadership

- Ensure responsible financial management and sustainability.
- Ensure compliance with legislative requirements and regulations, uphold the Council's legal obligations, and make ethical decisions in the best interest of the community.

4. POLICY STATEMENT

4.1 Provision

- (a) Council will generally set the date of review on the anniversary of the start date of a tenancy.
- (b) Tenants may request a re-assessment of their rent at any time because of a decrease of income or a change in household circumstances. Tenants must advise Council of the changes within 28 days of the changes occurring.
- (c) Tenants must provide written evidence of any change in household circumstances, using Council forms.
- (d) If the tenant provides the necessary evidence within 28 days of the document request, the rent is backdated to the date the change occurred.

- (e) If the tenant provides the necessary evidence after the expiry of the 28 days period, the effective date of the reviewed rent (if deemed reviewable) shall be from the date the evidence is provided.
- (f) Each rent assessment shall be electronically recorded, as an audit requirement.
- (g) If the rent payable increases as the result of a rent review, 4 weeks written notice to tenants will be provided. Rent shall not be increased between rent reviews.

Rent cannot be increased during a fixed term agreement unless it is stated in the tenancy agreement along with the amount.

4.2 Minimum rent

- (a) Tenants are required to pay the full amount of rent assessed. The exception being when Council charges the tenant minimum rent or a reduced rent during the review when:
 - (i) tenant is in severe economic difficulty;
 - (ii) tenant is in a temporary absence due to incarceration, domestic violence, hospitalisation or rehabilitation. Evidence is required.
- (b) The minimum rent is based on 10% of the dependent rate of Youth Allowance and is payable for sole tenants only with no other household members.
- (c) Minimum rent can only be used for existing tenants and should not be used to allocate public housing to applicants with no income.

4.3 Guaranteed rent period

- (a) To encourage household members in receipt of a Centrelink income to enter the workforce and minimise associated costs, household members can apply for a guaranteed rent period.
- (b) A guaranteed rent period is a guaranteed period of six months where rent will not increase due to a household member having an increase in their income due to commencing work.
- (c) A guaranteed rent period is not an entitlement but a benefit; therefore, household members should apply within 28 days of the household member commencing work.

5. REPORTING

Nil.

6. DEFINITIONS

- **Tenant:** A **tenant** is the person to whom the right to occupy residential premises under a residential tenancy agreement is given.

Note:

Under the *Acts Interpretation Act 1954*, section 35A, a reference in an Act to a person as lessee includes a reference to the person's personal representatives, successors and assigns. Under schedule 1 of that Act, a lessee includes a tenant.

A **tenant** also includes—

- (a) the person to whom the right to occupy residential premises is to be given under a proposed residential tenancy agreement; and
- (b) the subtenant of a tenant.

As defined under the *Residential Tenancies and Rooming Accommodation Act 2008*

7. RELATED DOCUMENTS AND REFERENCES

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Housing Act 2003*
- *Housing Regulation 2003*
- *Residential Tenancies and Rooming Accommodation Act 2008*
- *Community Housing Rent Policy for Indigenous Councils*
- *Rent Policy*
- *Social Housing Policy*

8. REVIEW

Policy type:	☒ Council ☐ Administrative
Directorate:	Community Services
Responsible Officer:	Manager, Housing
Authorised on:	21 July 2026
Next review date:	February 2028 (This policy will be reviewed every two years or as required by changes in legislation).
Review history:	2021, 2023, 2026
Version:	1