

Alterations and Modifications Policy

Purpose

This policy outlines how Cawarra Residential will manage requests from tenants to make alterations or disability modifications to a property. The aim of this policy is to ensure that each application is responded to in a fair, transparent, and systematic way that clearly explains options, choices and decision-making processes.

Scope

This policy applies to all tenants who live in properties managed by Cawarra Residential (we, our, us).

Where Cawarra Residential is not the owner of the property (such as leasehold or properties managed on a fee for service arrangement), prior approval for the modification must be obtained from the property owner/agent. In these instances, we will approach the owner to seek permission for the alteration or modification to be approved.

Overview

Tenants must seek written consent before making any alteration or modification to a property. We will seek to approve alteration requests when reasonable and practicable.

Alterations are where a tenant changes, removes, replaces, or makes an addition to an existing property, including the building itself, yard, or boundary fences. For example, the installation of air conditioning or removal and replacement of floor covering with a similar size and quality. Alterations are financed by the tenant.

Modifications are changes requested by the tenant to meet the needs of themselves or another household member because of illness, injury, age, or disability.

Alterations

We acknowledge that tenants may want to alter properties to improve the amenity for themselves and their family.

Tenants must seek our approval before making **any alterations** and will be required to cover any associated costs.

Types of alterations

Minor Alterations

Under the [Residential Tenancies Act 2010](#), we cannot unreasonably withhold consent for alterations of a minor nature. Tenants are still required to obtain consent for minor alterations. The [NSW Fair Trading website](#) provides a list of what is considered a minor change or alteration.

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Major Alterations

Major alterations will be considered on a case-by-case basis. The table below provides examples of what we consider major alterations:

Major Alterations		
<ul style="list-style-type: none"> ☐ Security shutters and security grilles ☐ Pay television, satellite dishes and antennas ☐ Kitchen and bathroom remodelling 	<ul style="list-style-type: none"> ☐ Built-in-cupboards or wardrobes ☐ Carpets, floor and wall tiles ☐ Painting - internal only ☐ Rainwater tanks 	<ul style="list-style-type: none"> ☐ Fixed appliances, such as air conditioners and heaters ☐ Solar panels ☐ Carports, awnings and garages

Alterations that will not be approved

We will not give permission for tenants to undertake the following alterations due to health and safety and ongoing maintenance issues:

- install a swimming pool, pond, or spa
- painting the external façade of a property.

Applying for an Alteration

Submitting an Alterations Application

Tenants must seek written consent and use our Alterations Request Form prior to making any alteration. We will use this information to consider the request. Tenants should give a full description of the request including details of the contractor, as required.

Tenant Responsibilities

Tenants must submit the Alterations Request Form **before** undertaking any alterations in their home.

Once we approve an application, the tenant:

- Is expected to pay the full costs of any alterations
- Is responsible for repairing and maintaining any alterations
- Must pay for all remedial works caused by negligence, poor workmanship, or failure to complete an alteration in full.
- Is responsible for repairing any damage the alteration may cause.
- Must remove an alteration at their own expense and restore the property to its original condition at the end of the tenancy.

Our Responsibilities

- Review alteration applications within 21 days
- Inspect alterations on the property
- Inspect alterations and their removal at the end of the tenancy
- Not unreasonably withhold consent for minor alterations

Assessing an Alterations or Modifications Application

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We will consider the following when assessing an application, including:

- Impact on the building (e.g. structure, special conditions – heritage, maintenance liability)
- Compliance requirements (e.g. Australian Standards, fire safety and Local Government etc)
- Impact on neighbours
- Approval of the owner where the property is not owned by us
- Conflict with our approach to environmental sustainability
- If the changes can be repaired or removed at the end of the tenancy
- Whether the home has asbestos or any hazardous building products
- Using licensed and qualified contractors to manage the work
- Tenants rent and non-rent account balances

As identified above, tenants will be informed in writing about the outcome of their application within 21 days. This outcome will include any conditions attached to the approval. If there is a delay in assessment, we will inform the applicant about the expected timeframe and the reason for the delay. Where an application is refused, the tenant may submit a revised proposal.

Standard Conditions for Approval

All approved applications will be required to:

- Conform to Australian Standards, legal requirements and Local Government Council regulations
- Provide a Certificate of Compliance for all electrical and gas installations
- Use licensed contractor for all works
- Maintain the alteration during the tenancy at the tenant's cost
- Complete works within agreed timeframes (e.g. started within 8 weeks and complete within 3 months of consent being issued) or seek approval to change these timeframes or complete a new application.
- Inform us when the work is finished and for major alterations, allow us access within 4 weeks of the works being completed for inspection purposes.
- Comply with our requests to repair the works if the alteration does not meet our standard, within a specified time. Failing this, the tenant will have to bring the property back to its original condition and be responsible for all costs.

When a Tenant Moves Out of a Property

When a tenant moves out of a property, we may request them to remove any alterations. If we have contributed towards the work, the tenant must obtain our permission to remove it.

Tenants are responsible for the removal of the work and restoring the property to its original condition, including any damage caused by the work. If a tenant does not do this, they will be charged for the removal and repair.

Once the tenant hands back a property, any alterations that have not been removed cease to belong to the tenant.

When We Request a Tenant to Move Out of a Property

On occasion, tenants may be asked to move home in line with our [Transfer Policy](#). Where a tenant has made approved alterations to the property, we will provide a reimbursement based on the depreciated value of the alteration. Depending on the type of alteration, we may remove and reinstate the alteration to the new property in lieu of a reimbursement.

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Unapproved Alterations

An alteration without written permission is a breach of your Residential Tenancy Agreement.

Where an unapproved alteration is identified, we will first undertake a technical inspection of the alteration. If there are no problems with the alteration in terms of design, amenity or safety, we will ask the tenant to seek retrospective written approval, including any relevant Local Government approval.

If we have any concerns about the quality, safety or amenity of the unapproved alteration, we will require the tenant to reinstate the property at their own cost, according to our standards. If the tenant refuses or the work is not undertaken to appropriate standard, we will take action at the NSW Civil and Administrative Tribunal (NCAT) for an order to remedy or possession of the property and termination of the tenancy. We may also undertake this work and recharge the cost to the tenant.

Disability Modifications

We recognise that the needs of tenants or household members may change because of illness, injury, age, or disability and that as a result, their home, in its current form, may no longer be suitable. Under the [Disability Discrimination Act 1992](#), we (and other landlords) have an obligation to provide 'reasonable adjustments' (disability modifications or relocation) to support a tenant with a disability'.

The National Disability Insurance Scheme (NDIS) defines home modifications as *"changes to the structure, layout or fittings of the participant's home that are required to enable the participant to safely access and move around their home as a result of their disability"*.

Types of Modifications

Minor Disability Modifications	Major Disability Modifications
<p>A minor modification is one that does not require structural change to a property and would usually cost less than \$5,000 (including GST and installation). Examples of minor modifications include:</p> <ul style="list-style-type: none"> ☐ Handheld shower sets ☐ Lever style taps ☐ Grab rails <p>We require an Occupational Therapist (OT) Report for minor modifications or in some cases a medical certificate or letter of recommendation from a healthcare</p>	<p>A major modification is one that requires structural changes to a property and where the cost is likely to exceed \$5,000 (including GST and installation). Examples of major modifications include:</p> <ul style="list-style-type: none"> ☐ Widening doorways ☐ Modifying the kitchen, bathroom or laundry ☐ Replacement of floor coverings ☐ Providing entrance and exit ramps, and ☐ Installing hoists <p>We require an OT Report before we will approve major modifications. We will work with the OT and the tenant and/or their advocate to make an assessment of any proposed major modifications in order to achieve the best outcome for the tenant.</p>

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Applying for a Modification

Submitting a Modifications Application

When we receive a request for disability modifications, we will review the application and the modifications required to support our tenant to remain in the property, if it is suitable. We will assess the modification to ensure that it is structurally safe and economically viable. In properties we own or manage, we will respond within 21 days. This timeframe may be delayed if approvals from landlords or others are required.

Where further approval is required e.g. from a landlord in the case of leasehold or fee for service properties, we will approach the owner on behalf of the tenant with the written application.

To ensure that we comply with the *Disability Discrimination Act 1992*, we will finance minor modifications on properties we own and manage if the works enable the tenant to sustain their tenancy.

For major modifications, where the tenant is eligible for the National Disability Insurance Scheme (NDIS), we will work within the rules of the NDIS to ensure modifications are carried out as required. Where the tenant is not NDIS eligible, we will seek funding and approval from NSW Land and Housing Corporation in accordance with their [Home Modification Guidelines](#).

Where consent for property modifications has been declined by the owner of the property or a modification is determined to be unfeasible or not viable, alternative housing options will be discussed with the tenant.

Tenant Responsibilities

Tenants must submit a [Modifications Request Form](#) **before** undertaking any modifications in their home. Tenants should supply all necessary information for us to assess the request including an Occupational Therapist Report and evidence of NDIS eligibility/ineligibility.

Our Responsibilities

- Review modifications requests within 21 days
- Seek approval from the owner or agent before undertaking any modification
- Undertake minor modifications for those we have approved
- Inspect modifications funded by the tenant on completion of works
- If the request is declined, discuss other options with the tenant including transfer to an alternative property which meets their needs or can be easily modified.

Assessing Modification Requests

We will base our assessment of modification requests on the following:

- long term value of the property, i.e. cost of the modification compared to the value of the property
- impact on the property and any special requirements e.g. heritage, local government, ownership
- cost of alternative approaches to address the tenant's housing requirements and availability of alternative properties that meet the tenant's needs
- availability of funding

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- suitability of the property for the proposed modification and future tenants
- suitability of the modification for the tenant or household member's current and future needs
- tenant's ability to sustain a successful tenancy.

We will only engage approved contractors to complete all modifications and will monitor the work to ensure they comply with legislative and regulatory requirements.

Appeals and Review of Decision

Tenants can appeal decisions made under this policy.

If a tenant is not satisfied with a service we have provided or does not agree with a decision we have made, they can ask for a formal review. Our [Complaints and Appeals Policy](#) outlines the ways for tenants to make an appeal. This policy, and a helpful information brochure, is available from our office or it can be downloaded from our website www.cawarraresidential.com.au

If a tenant is unhappy with the outcome of the appeal, they can lodge a second level appeal with the Housing Appeals Committee. The Housing Appeals Committee is an independent agency that reviews certain decisions made by staff of Community Housing organisations and Housing NSW. For information on the Housing Appeals Committee call 1800 629 794 or go to www.hac.nsw.gov.au.

Related Documents and Resources

Type	Title
Legislation	Residential Tenancies Act 2010
	Disability Discrimination Act 1992
Policy	Transfer Policy
	Complaints and Appeals Policy
Form	Alterations Request Form
	Modifications Request Form