Government of South Australia
Housing Safety Authority

Triage and Assessment Policy

***UNCONTROLLED** if printed*

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Acknowledgement of Country

The Housing Safety Authority acknowledges Aboriginal peoples as the First Peoples and Nations of the lands and waters we live and work upon, and we pay our respects to their Elders past, present and emerging.

We acknowledge and respect the deep spiritual connection and the relationship that Aboriginal and Torres Strait Islander peoples have to Country.

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Introduction

The Housing Safety Authority (the **HSA**) oversees the administration of the *Housing Improvement Act 2016* (the **HI Act**) on behalf of the Minister for Housing and Urban Development. The Act requires residential premises in South Australia to meet the minimum housing standards. The minimum housing standards are prescribed in the *Housing Improvement Regulations 2017*.

This document outlines the HSA's policy for triaging and assessing reports of substandard residential properties, including the criteria used to determine whether further investigation is warranted.

Definitions

Checklist	The minimum housing standards checklist used to assess condition of residential properties
HSA	The Housing Safety Authority
HI Act	The *Housing Improvement Act 2016*
HI Regulations	The *Housing Improvement Regulations 2017*
Minimum housing standards	The minimum housing standards as prescribed in the *Housing Improvement Regulations 2017*
Report	A report of the substandard property
Self-Assessment	The Substandard Property Self-Assessment, used to assess condition of residential properties

Before reporting a substandard property

Before reporting a property as substandard, reasonable attempts should be made to raise issues with the owner.

Tenants, or individuals acting on their behalf, must give landlords reasonable opportunity to remediate the issues, which includes allowing reasonable access to carry out repairs.

Reasonable attempts to raise the issues includes discussing them with their landlord or property agent and giving a written notice to carry out the repairs.

- If the property is privately owned, contact your landlord or property agent
- If the property is community housing, contact the community housing provider
- If the property is public housing, contact the SA Housing Trust

The Checklist and Self-Assessment tools help assess property conditions and are available on the HSA website[1].

What makes a property substandard?

Residential properties must meet the minimum housing standards to be considered safe and suitable for human habitation. Examples of the minimum housing standards are listed below. Fact sheets are available to download from the HSA website[2].

- Fixtures and fittings must not present a health or safety hazard
- Not present fire hazard e.g., working smoke alarms
- Adequate facilities, ventilation and lighting
- Security provisions
- Effective structural support (footings)
- Reasonably free from mould
- Continuous supply of electricity and sufficient power points
- External doors unlocked without a key from inside

Additional minimum housing standards apply for residential premises being used as rooming houses:

- Minimum bedroom sizes
- Minimum number of electrical power points in bedrooms
- Bedroom doors unlocked from inside without a key
- Bedrooms privacy
- Privacy for shared toilet and bathroom facilities
- Residents to facility ratios

Reporting a substandard property

Reporting a substandard property is a confidential process. The HSA will not disclose the identity of the reporter except where required by law. Reporting a substandard property can be made anonymously, however this may limit the ability to assess the report if additional information is necessary.

The HSA receives reports of substandard properties from a variety of sources, e.g., Government and non-government organisations, and occupants.

The HSA may request an overview of the steps taken to fix the issues with the owner. The HSA may request further attempts to be made or sufficient time to pass before assessing the report. Checklist and Self-Assessment forms are available on the HSA website to assist with assessing the condition of residential properties.

If the report is made on behalf of the occupant, authorisation to act on the occupant's behalf will be requested[3].

[1] https://www.housingsafetyauthority.sa.gov.au/resources
[2] https://www.housingsafetyauthority.sa.gov.au/resources
[3] The '*Authorisation for third party to act on behalf*' form is available for download at www.housingsafetyauthority.sa.gov.au/resources

If there has been no satisfactory resolution and the issues identified pose a health or safety risk, a report can be submitted online at the HSA website[4]. Up to five relevant documents or photographs can be uploaded to support the report. If a report is unable to be submitted online, the HSA can be contacted by phone, email or letter.

Assessing a report of substandard property

The HSA will assess the available information and evidence to ascertain whether there are sufficient grounds to substantiate further investigation. Additional information or evidence may be requested as part of the assessment process.

In situations where the individual reporting the property as substandard cannot be reasonably contacted (for example, anonymous reports) and additional information is necessary, the report will be closed pending further information becoming available to the HSA.

The HSA considers a range of factors when assessing a report, including, but not limited to:

- Is the property a residential premises as defined in the HI Act?
- Does the HSA have primary jurisdiction over investigating the report?
- Does the report provide tangible information or evidence of an alleged hazard or defect?
- Are there reasonable grounds to believe the hazard or defect is or is likely to expose an occupant or visitor to health or safety risk?
- Are there reasonable grounds to believe the condition of the residential premises does not meet the minimum housing standards and the property condition presents or is likely to present a health or safety risk to occupants or visitors?

Further investigation

For information in relation to investigating substandard properties, refer to the HSA's Compliance and Enforcement Policy.

Withdrawing a report

The HSA will seek written confirmation from the requestor, including reasons to substantiate their request to withdraw the report. The request will be considered together with information that is reasonably available to the HSA.

If the decision is made to withdraw a report, no further action will be taken by the HSA. The requestor will receive written confirmation of the decision. This does not prevent a further report from being made. Examples where the HSA may withdraw a report are:

- where the owner and occupant reach a mutually agreed resolution
- where severe and imminent risks are not identified
- defects have been repaired prior to a property inspection or an order being issued

[4] Report a substandard property at www.housingsafetyauthority.sa.gov.au/resources/report-a-substandard-property

If the decision is made to continue with its investigation and not withdraw the report, the requestor will receive written confirmation of the decision. Examples where the HSA is likely to continue investigation are:

- where severe and imminent health or safety risks are identified
- an inspection has been conducted at the property
- orders have been issued

Matters not investigated by the HSA

The HSA does not respond to, or investigate, matters listed below. Individuals are encouraged to contact other appropriate authorities to resolve issues relating to:

- assistance with breaking lease
- compensation and applications for rent reduction
- maintenance concerns
- properties that are not defined as residential premises
- tenancy disputes between owner and occupant

Further Information

Related documents

- *Housing Improvement Act 2016*
- *Housing Improvement Regulations 2017*
- Compliance and Enforcement Policy
- Minimum housing standards checklist
- Substandard property self-assessment

Housing Safety Authority

www.housingsafetyauthority.sa.gov.au

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For further information about the minimum housing standards and the Housing Safety Authority, scan the QR code or visit www.housingsafetyauthority.sa.gov.au.