COVID-19: Housing – Homeless or at risk of homelessness

FACTSHEET

This factsheet is part of a series from Legal Aid NSW that aims to help answer your questions about COVID-19 and everyday law.

You may be worried or confused about how COVID-19 will affect you and your everyday life. Sometimes a crisis can make legal problems worse or new problems might develop. Legal Aid NSW understands that there will be a lot of questions about money worries, fines, police, housing, Centrelink, employment, guardianship and mental health. This series of fact sheets will give you helpful information and contacts to assist you to manage all the changes that are happening in our community.

Read this factsheet if you are homeless or at risk of homelessness during the COVID-19 period. **The protections offered during the COVID-19 period end on 26 March 2021.**

I need to leave my home because of domestic violence but I don't have anywhere to go. What should I do?

Support and legal services are available to help you stay safe. There are plans to increase funding to increase accommodation options so that you can stay safe in your community.

You can contact:

- Link2Home, the specialist homeless service - call 1800 152 152
- DV NSW for services in your area https://www.dvnsw.org.au/where-to-get-help-in-new-south-wales/
- Department of Communities and Justice for information about housing assistance and help paying for a private rental with the Rent Choice Start Safely website.
- Your local Women's Domestic Violence Court Advocacy Program on 1800 938 227. They will be able to advise you about your housing options.
- LawAccess on 1300 888 529 to get legal help on many legal issues including housing.

Where can I get help if I'm homeless?

Homelessness services and housing providers are still there to help you. Link2Home is a state-wide homelessness information and referral telephone service that is available 24 hours a day, 7 days a week. You can call Link2Home on 1800 152 152.

You can also contact your local housing provider by phone, please try not to attend in person. You can access services or update your details, including a change in circumstances, by:

- Calling 1800 422 322;
- Accessing the Department of Communities and Justice website; or
- Using the MyHousing app (download from the App Store or Google Play).

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Can I get temporary accommodation?

The Department of Communities and Justice (DCJ) and community housing providers can help with emergency temporary accommodation. They can pay for short term accommodation in motels or caravan parks.

This is what you need to know about temporary accommodation:

- If you are homeless or exiting custody, DCJ Housing and Community Housing Providers will provide 5 nights of temporary accommodation.
- The 5 nights is a change that started because of COVID-19.
- You can use this time to work with social housing providers and specialist homelessness services to get help with your ongoing housing needs.
- The first 5 nights can be extended depending on your situation.
- Temporary accommodation is usually limited to 28 days per year. During COVID-19 this limit may be increased, if needed.
  You should speak to your local social housing provider about your housing needs while you are in temporary accommodation.

Can I get temporary accommodation if I'm not eligible to be listed on the NSW Housing Register?

Yes. If you are a former DCJ Housing tenant and not eligible to be listed on the NSW Housing Register (Housing waitlist), you can now get Rentstart assistance. You could get temporary accommodation and a rental bond loan.

If you are a former social housing tenant with an unsatisfactory or ineligible classification, you can also get Advance Rent assistance.

I have tried to apply for housing but have been refused. What should I do?

You should seek legal advice about why you have been refused and find out if you can appeal the decision.

For free legal help call 1300 888 529 or call your local Legal Aid NSW office.

Where can I get help if I'm at risk of losing my housing?

You may need legal advice to find out if the new tenancy laws protect you from eviction. You can also check if you can get help from DCJ Housing to keep your tenancy.

DCJ Housing offers:

- rental assistance to people looking for private rental accommodation.
- help with an interest-free bond loan if you're moving but can't afford start-up costs like a bond.
- help to pay the rent to keep your current tenancy.

You can find more information at the Department of Communities and Justice's renting in a private market webpage.

Legal services

Legal services are here to help you. Legal services may be able to help you fix the problems that stop you from getting housing or make it hard for you to keep your housing.

Some things that a lawyer can help with might be:

- If you can't get social housing because of problems from a tenancy you had before, a lawyer could talk to your old housing provider about what you need to do.
- If you have a problem with your Centrelink payments, a lawyer could help you find out what the problem is and how to fix it.
- It can be hard to pay your rent if you have debts or fines. A lawyer could give you options for dealing with the repayments.
- If your landlord won't negotiate a rent reduction and your household has been impacted by COVID-19, a lawyer could help with the negotiations.

You can find more information on our fact sheet about eviction or contact Legal Aid NSW for free advice. For free legal help call 1300 888 529 or call your local Legal Aid NSW office.

If you need an interpreter, call the Translating and Interpreting Service on 131 450 and ask for LawAccess NSW. If you find it hard to hear or speak, call the National Relay Service on 133 677 and ask for LawAccess NSW or visit http://www.relayservice.gov.au/.

Legal Aid NSW Homeless Outreach Program

Legal Aid NSW has specialist homeless outreach lawyers across NSW. These lawyers help people to:

- get back into housing
- avoid homelessness
- fix legal problems that might lead to homelessness. They can help with debts, fines, social security and tenancy disputes.

You can find your local specialist service here:

- Northern Rivers: (02) 6621 2082
- Mid-North Coast: (02) 6651 7899
- Hunter: (02): 4929 5482
- Central Coast: (02) 4324 5611
- Western Sydney: (02) 9891 1600
- South Coast: (02) 4422 4351

Or for free legal help call 1300 888 529 or call your local Legal Aid NSW office.

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Where can I find more information?

Tenancy advice

- Find your local tenancy advice and advocacy service at the Tenants' Union.
- The Tenant's Union NSW has up-to-date information and templates for tenancy matters in response to COVID-19 on their Renting & Coronavirus page.
- Department of Communities and Justice's renting in a private market page.

Legal advice - housing

- If the NSW Civil and Administrative Tribunal (NCAT) has made final orders for termination of your tenancy, you can call the Legal Aid NSW NCAT Appeals Hotline on (02) 9219 5800.
- If you need advice about the new laws and your rights and obligations, you can get free legal help on 1300 888 529 or call your local Legal Aid NSW office.
- If you are experiencing or worried about domestic violence, call the Women's Domestic Violence Court Advocacy Program on 1800 938 227.

NSW Civil and Administrative Tribunal

- NSW Civil and Administrative Tribunal has up-to-date information that you can access on their website.

Support services and further resources

- Domestic Violence NSW on 9698 9777 or 9698 9771
- Women's Domestic Violence Court Advocacy Program on 1800 938 227
- Homelessness NSW https://www.homelessnessnsw.org.au/news/general-information-homelessness-and-covid-19

How can I get help?

For free legal help call 1300 888 529 or call your local Legal Aid NSW office.

There is also a series of factsheets about COVID-19 and the law available on the Legal Aid NSW website to assist you to manage all the changes that are happening in our community.

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This factsheet is intended as a general guide to the law. Do not rely on this information as legal advice. We recommend you talk to a lawyer about your situation. This information is correct at the time of writing, however, it may change.

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